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# *Commission Meeting*

of

## NEW JERSEY GENERAL AVIATION STUDY COMMISSION

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**LOCATION:** Committee Room 16  
State House Annex  
Trenton, New Jersey

**DATE:** May 28, 1996  
10:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

John J. McNamara Jr., Esq., Chairman  
Frederick Telling, Ph.D., Vice-Chairman  
Jack Elliott  
Philip W. Engle  
Suzanne Solberg Nagle

**ALSO PRESENT:**

Robert B. Yudin  
(representing Gualberto Medina)



*Meeting Recorded and Transcribed by*  
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**JOHN J. McNAMARA JR., ESQ. (Chairman):** Good morning. It is May 28, 10:00 a.m., and I would like to call to order the Hearing Subcommittee of the New Jersey General Aviation Study Commission. The Commissioners attending to the matter of this meeting are Ms. Nagle, Mr. Engle, Mr. Elliott, and myself, John McNamara.

We have with us this morning Dan Herr, who is helping us analyze and collate our studies. He will be helping us sporadically -- meaning not full-time, but in a part-time capacity -- as we go along.

We have, first on our agenda, Mr. Henry Young, from Young Environmental Services.

Mr. Young, if you will come forward and take a seat at the witness table, we will administer an oath. There you are.

Do you swear that the testimony you are about to give to this Commission is true, subject to the laws of perjury of the State of New Jersey?

**HENRY YOUNG:** Yes, I do.

MR. McNAMARA: Do you have a prepared statement?

MR. YOUNG: No, but I can certainly provide one if you like. But based upon the many years that I have been involved in airport planning and noise abatement planning--

MR. McNAMARA: Mr. Young, would you tell us, first of all, about your education and your credentials in your profession?

MR. YOUNG: Certainly.

I have a bachelor of science degree from Cornell University, 1966, where I studied landscape design. I have a master's degree from the Yale School of Forestry and Environmental Studies, 1974, in land use planning. On

completion of my studies, I began as an aviation consultant and practiced first in the employ of several firms and, then, as the basis of my own business since 1984.

MR. McNAMARA: Could you tell us the year you graduated from Yale and the businesses you worked with, please?

MR. YOUNG: Yes.

I graduated in 1974. I began with R. Dix and Speas Associates (phonetic spelling) in that year. I continued on with that firm through several changes. First, to a firm by the name of Planning Research Corporation Speas Associates (phonetic spelling) in 1977. I served as a private consultant to that same company, as well as others, from 1981 through 1984.

In 1984, I founded Young Environmental Sciences in order to provide specialized environmental planning services for the aviation, airport, and residential communities throughout the country and, for that matter, throughout the world.

MR. McNAMARA: In those capacities and also in the capacity of conducting your own business, have you consulted airports and airport owners, be they private or public, on noise matters affecting airports and environmental matters affecting airports?

MR. YOUNG: Yes, I specialize in that area. I worked, beginning in 1987 to this date, at Teterboro Airport as the advisor to the Teterboro Aircraft Noise Abatement Advisory Committee. I have also served as a consultant to Republic Airport, a general aviation airport, on Long Island, the third largest in New York State, as well as to Westchester County Airport, as well as to air carrier airports from medium-sized hubs on downward.

I specialize in general aviation airports, because of the somewhat different nature of the noise problems that occur in the vicinity of those facilities as opposed to around air carrier airports, which, typically, are in a much more urbanized environment and which have a much different pattern of reactions amongst the citizenry.

MR. McNAMARA: Well, your credentials sound very impressive. We are very happy to have you come before us today.

If you would proceed to make your opening comments, we'll follow them up with questions.

MR. YOUNG: Certainly.

Let me begin by discussing a little bit about noise. We prepared, some years ago, a brochure for our Committee at Teterboro Airport, and it explains, in relatively easy-to-understand language, some of the fundamentals about aircraft noise.

Noise, basically, is unwanted sound. It is a pollutant, but it is different than all other forms of pollution that, generally speaking, we regulate on the public level. Most pollution is unwanted substance. Noise is simply unwanted energy. It is unique, also, in the sense that it is the only pollutant that I know of that has the power to adversely affect the organ that we sense it with.

We measure sound in a very unusual way with respect to how a layperson would understand that taking place. It is measured in decibels, which is a logarithmic scale. It is actually a power ratio, a ratio of pressure in the atmosphere to a standard reference pressure. It, thus, is not a physical unit with a similar dimension all the way up and down the scale, but rather a

dynamic unit. With each 10 decibel rise on the physical scale, the volume of the pressure -- the energy involved -- increases 10-fold.

The human ear differs substantially in the way it senses noise, because of the very long range associated with human hearing: from the quietest sound, which, typically, can be 0 to 20 decibels, all the way to the threshold of pain, which is, typically, as much as 120 to 130 decibels.

Because of this enormous range, recalling the fact that with each 10 decibels we are going up an order of magnitude in terms of intensity, what we find is that the mathematics become very clumsy, and thus, we turn to a logarithmic scale for measuring it, just as we do with things like earthquakes, wind velocities, light, and other physical factors that have an enormously long scale.

We think of noise as being almost the sole unwanted by-product of aviation. We have gone about measuring it in an organized way, with respect to aviation, since 1967 with the establishment of Federal Aviation Regulations, Part 36. The Federal government regulates noise emissions by all aircraft types.

Since 1967, those regulations have been amended a number of times as technology has progressed and allowed increasingly quieter aircraft per unit of weight lifted from the runway. This is a facet of technology, specifically, high-bypass ratio turbofan engines.

When we began, in 1967 -- in the early years -- most of the aircraft were powered by turbojet engines. More recently, we have gone to larger and larger bypass ratios, which simply refer to the air that is blown around the engine core by a front fan. As these aircraft have come to dominate service, we

find that the cumulative noise measurement that we originally used has been reduced substantially. What has occurred, thus, is that we have a standard -- a set of guidelines -- that was developed in its earliest form in the late 1960s and early 1970s.

One of the advantages of this system-- It is called the Day/Night Average Sound Level measurement system. It was adopted by the FAA as the sole descriptor of aircraft noise in 1981. This is a cumulative system which looks at the annual average day, averages the noise events from aircraft which occur throughout that average day and in accordance with the distribution of activities around the several runways of an airport, with a 10 decibel penalty for all sounds which occur from 10:00 in the evening till 7:00 in the morning. It is, thus, weighted for the night period and penalizes by a factor of 10 any noise which occurs during that period.

The advantage of the Day/Night Average Sound Level system, known as LDN or DNL, is that it is associated with a relatively well-researched table of compatible land uses. We can, through computer modeling, as well as from real-world noise measurements, establish the cumulative level of noise at its various different levels of intensity around an airport.

The onset of incompatibility with respect to the numerical system that we use in LDN is 65. In order to determine the appropriateness of that sensitivity level, which basically asserts that residential land use without special noise insulation provisions becomes incompatible at that level, what we find is that was done through surveys around airports and amongst people familiar with aircraft sound.

Unfortunately, this was not a true cross section of the entire population. Moreover, those surveys were taken a relatively long time ago, wherein, we had relatively few, but incredibly loud, noise events from air carrier airports.

The system has a number of inadequacies to it, although it is a very good and a workable system in the measurement sense, providing good comparative data between one airport and another and one neighborhood and another. Amongst its other weaknesses, it really relies on the concept of averages. Sometimes these can be very appropriate with respect to such things as noise mitigation measures and insulation in homes. Other times, it may be totally inadequate.

In particular, a logical concern might be that if the surveys that were used to establish the thresholds of incompatibility in the LDN system were taken in urban areas and amongst individuals who were familiar with aircraft noise and, thus, a survivor population, what might have happened to the remaining individuals who could not tolerate -- either by choice or by necessity -- those levels of noise? The answer, quite obviously, is they tend to inhabit the rural areas where they are found often in the vicinity of general aviation airports.

A second weakness that we are very aware of is the fact that we tend to think of noise as the only impact that occurs, and we tend to set the levels of incompatibility dependant upon public health criteria. Public health criteria in the area of noise basically means hearing loss. Whereas, the public issue of concern at most general aviation airports is not hearing loss or the

affects in the sense of aggravating health problems that may be preexisting, but rather annoyance.

In effect, there are three events, but not one, which occur when an aircraft flies by. The first, and obvious, event is the noise event itself. The second event is a visual event, people turn and look at the aircraft. Aviation takes place in a uniquely public environment. It is more obvious and clearer to one and all throughout a community than any other form of transportation, because all the remaining forms are based entirely on the ground.

Third, acousticians, historically, have neglected the fact that the third event takes place, and this is an emotional event. This is the event when people put together the acoustical disruption, the visual observation together with their values and opinions about the appropriateness, the necessity, the justification, and the worthwhileness of experiencing this particular event, as opposed to the uninterrupted, natural sounds which would otherwise make up the ambient environment in the more rural areas, particularly in New Jersey, but also throughout the world.

Thus, the acoustician says many of the reactions of people are subjective.

MR. McNAMARA: Mr. Young, may I interrupt for just a second?

MR. YOUNG: Certainly.

MR. McNAMARA: Would you define that term, please? An acoustician?

MR. YOUNG: An acoustician, typically, is an individual who measures and understands sound and the various, different properties that it has. Amongst those properties is the ability to create adverse human reactions,

that is called psychoacoustics. These matters have been studied in great detail over many years for a variety of different reasons having to do with everything from sound reproduction in concert halls to recorded music and other matters.

One branch of acoustics, noise, is the subject that I happen to be most fluent in, but there are a number of different branches to acoustics and a number of different subdivisions within those disciplines as experienced professionals look into one or another matter of economic or public concern.

MR. McNAMARA: Thank you very much. I'm sorry for interrupting.

MR. YOUNG: That is quite all right.

With respect to the human factor, what occurs is an unwanted interruption. The tolerance levels for this begin at relatively low amplitudes, approximately 75 decibels on the scale that begins at 20 or so and ends at approximately 120. The noise level in this room, for example, is approximately in the mid-60s. Thus, when noise rises above the level of normal human conversation, there is an onset of annoyance based upon the interruption that occurs both in the sense of the person's mind, as well as increasing the likelihood that speech communication will be interfered with.

This level, which is approximately 75 on a single-event basis, is when annoyance in the mind of the listener is initiated. (jackhammer noise in background) To get to the 65 LDN level, we would require numerous repetitions of noise at that level of 75 or above. As the volume of those individual single events has been reduced in air carrier airports to relatively low amplitudes, we are left with a system which is not necessarily fully responsive to the full range of human concerns.

Let's turn to a simple example and think about not LDN 65, but LDN 64.9. LDN 64.9 is nominally compatible. I did a calculation some months ago for another client that attempted to determine how many flyby events would be necessary to create this level of 64.9, recollecting that that is before the onset point of incompatibility. The answer to the question came forth in three ways.

The first way was to look at the noise signature of an early model air carrier aircraft, in this case the 707. At approximately 10,000 feet downrange from the start of takeoff roll, one flyby of a 707 is what is required to generate a level of 64.9.

Those aircraft were overtaken rapidly in the early years of commercial service by somewhat quieter aircraft, referred to in this case by the FAA as Stage II aircraft, as opposed to Stage I aircraft, which were represented by the 707 and similar types. That particular aircraft, in this case, a 737 requires approximately 70 flybys to create the requisite 64.9. A modern Stage III aircraft requires, by contrast, 230 flybys to reach that same 64.9.

Acoustics in the sense of the science asserts that on average those three different scenarios are interchangeable. One aircraft flyby versus seventy versus two hundred and thirty. That is not the way a human being would perceive the change.

Similarly, most general aviation aircraft are as quiet or quieter than the 767 that I used in that particular study.

MR. McNAMARA: Is that a Stage III aircraft?

MR. YOUNG: Basically, yes; although, the criteria that the FAA expresses is a sliding scale. It reaches a floor level for aircraft under 75,000

pounds. Thus, as a generalization, most general aviation aircraft, with the exception of older business jet types, will meet or exceed the levels associated with Stage III, the most stringent Federal levels that are currently used.

Thus, with general aviation airports, we're entering into a more or less unregulated area, an area where aircraft are not meaningfully required to reduce their noise signature, would have difficulty in doing so because of the limits of economics and technology, and third, the system is analyzed in accordance with standards that were developed for much larger, noisier aircraft in an urban situation and are somewhat less appropriate to understanding the nature of the reactions that occur amongst human beings in a more rural environment, which may have many more frequent, although individually less loud, noise events that occur.

This is why it is difficult for many in the regulatory environment to understand why general aviation airports -- not a significant source of noise in comparison to air carrier facilities -- can generate enormous unwantedness in the surrounding population.

I brought to you today, for example, some information (indicating) -- this comes right off of the Internet -- that concerns the Branchburg/Readington public meetings on the Solberg Airport expansion. Solberg is a small general aviation airport, privately owned, that is in the process of planning for lengthening its single runway.

The amount of adverse reaction that is being generated to that proposal is entirely out of proportion to the amount of noise that is generated by that facility. What people perceive is, thus, not simply the noise or simply the possibility that more noise might occur, but the mere feeling that whatever

occurs is unwanted in their particular environment, in their particular neighborhood, in their particular backyard.

As you probably know, from studying development in many places, the most recent acronym is BANANA, the outgrowth of NIMBY, not in my backyard. BANANA says build absolutely nothing anywhere near anybody. This is particularly true in the airport environment, and we are losing airports rather rapidly out of the system nationwide.

According to information from the American Aircraft Owners and Pilots Association, we are losing approximately one airport per week out of the system nationwide. Partially, this is a result of economics. Partially, it is a result of the fact that general aviation has ceased to grow in the vibrant manner that was characteristic of the past, but it is also because of citizen opposition and concern principally over the issue we call airport noise but is really a much broader issue.

Let me give you an example. Aircraft tend to look alike. It is difficult for bystanders to accurately and consistently judge the distance between themselves and a given aircraft. Generally speaking, it has been my observation that when an observer is closer than 10 wingspans in distance to a passing general aviation aircraft, there will begin to be the feeling that that vehicle is simply too close for comfort.

The standoff distances, thus, are not only acoustical, but also visual and perceptual. To a degree, this problem tends to get exacerbated through time, because the nature of aeronautics and of streamlining is such that aircraft tend to look similar regardless of size, especially true of helicopters, especially true of business-jet aircraft.

In many cases, the adverse reactions that are encountered range from feelings of alarm -- in the sense of, simply, spacial offset -- to fear. Which is to say, aviation has a perfect record. We haven't left one up there yet. Every aircraft that goes up must come down, and there is naturally a concern that when that event occurs, it will occur in an unwanted location just as the noise is occurring in a place where the individual does not wish it to occur. Thus, there is a fear response, which can also adversely affect public attitudes toward airports.

Airports tend to be places which are outside of the bounds of the average citizen, placed behind fences, inaccessible to the general public. Access is restricted, except in the case of those relatively wise airport operators who encourage programs on airports to expose individuals in the community to the advantages and the necessities of aviation.

Aviation is, of course, an important economic activity, as well as important for training, as well as important with respect to recreation and other kinds of pursuits. It is difficult for the average person -- and there are relatively few pilots in this country in proportion to the population -- to understand the necessities of aviation the way they are understood from within the fence line at a given airport.

There are a lot of bridges that have to be built with local communities. These will be done through appropriate standards, through individuals who are familiar with those standards and who, hopefully and presumably, are elected officials and, thus, can convey to their constituents the realities of the air transportation system and what it entails, both now, as well as in the future.

Many times, these kinds of discussions occur in atmospheres of acrimony, surrounded by ignorance -- in the sense of the needs of one or another party -- and they, frequently, are not able to be resolved successfully. Thus, we continue to see general aviation, in particular, get a relatively bad review from the members of the general public who fail to appreciate why this vital activity is necessary in this country.

I would be glad to explain to you at length the mechanics of how noise is measured, the standards which are applied, and the ways it has been studied over the last 20 years. What I have provided you, so far, is simply a summary of what we tend to see.

What we have done about that in the Teterboro case is that we have provided a committee, which provides the final word with respect to certain key decisions on the part of the airport. Specifically, the airport has a noise monitoring system. It has standards which were established in the late 1980s, which have been curtailed, by the way, under more recent Federal legislation. The application of those standards has resulted in the discontinuance of operation -- of permission to operate -- at Teterboro Airport.

The TANAAC has the final word with respect to allowing specific aircraft, which have been excluded, reentry into the airport operators' group. This Committee is composed of the mayors and the representatives of elected officials from the entire region. We meet quarterly. It is within that context that citizens' concerns about aircraft noise and other aspects of airport activity are aired and adjudicated.

Thus, we have two things going on. One of which is a definite abatement of noise through the application of a scientific system. Second, we

have an apparatus that emphasizes the role of the elected official in adjudicating and understanding the nature of the adverse effects which, albeit diminished, continue to occur.

This is an innovation with respect to the way airports are managed nationwide. Most airports do not engage in activities which cause them to come into accountability with respect to this adverse environmental impact. As a result, the gulf tends to widen between airport management and the community hosts that they depend on for their continued toleration.

Although I mentioned earlier on that the survey techniques that were used were imperfect with respect to understanding the adverse impact of noise, they did provide some additional interesting findings. That is that the toleration of noise is variable.

If the individuals who are having to accommodate the disruption come to feel that the community leaders are not providing them with a minimization, with all the degree of abatement that can and should be applied, they become even more sensitive to noise than they would otherwise be. This range is approximately 10 decibels.

It would not be surprising, for example, in a rural community that did not have a trusting and open relationship with airport management to be as much as 10 times more sensitive than they would be if they felt that whatever they were experiencing was being adequately addressed from a regulatory standpoint and was being minimized so that whatever disruption occurred is the absolute least that they should have to tolerate.

It is the job of government and the airport industry itself to try and establish a better relationship between airports, airport management, and

the surrounding community individuals. Properly done, this will help to neutralize some of the problems that we continue to see with respect to adverse reaction amongst community groups to airports, their continued existence, and the necessity, in some cases, for expansion.

Because we are in increasingly difficult economic times, many airports, particularly those privately owned, must expand in order to increase the range of services that they provide, or they face extinction as taxes increase, the cost of labor increases, but they have, simply, a stable volume of business to cover these overhead-type expenses. Thus, we find continuing opportunities for airports to expand and continuing opportunities for that to generate adversity and animosity between them and their neighbors.

This is a major problem. It has long been recognized by the FAA and others that adverse reactions to aircraft and aircraft-generated noise is the number one problem with respect to procuring and improving the possibility for expanding our aviation facilities nationwide.

With that, I will conclude my remarks. I will be glad to accept questions or to elaborate at length on any particular subject that is of interest to the Commission.

MR. McNAMARA: Mr. Young, you had mentioned that you could elaborate at length on the technical aspects of measuring sound, etc., etc. Do you have any written reports that you could submit into the record?

MR. YOUNG: Yes, we certainly do. This is the handout that I typically use at Teterboro Airport. (indicating)

It explains all about aircraft sound. I will be glad to go through it in some detail. It is fully illustrated and provides a number of different

displays which tell you, in great specificity, how it is measured and a bibliography of terms, because, in many cases, we use somewhat arcane terminology in order to fully describe what is going on.

MR. McNAMARA: Why don't we just accept that into the record as an exhibit, so that when the entire Commission reviews the testimony, we will have that as an exhibit appended to the record.

Harry, we can do that, right? (affirmative response)

MR. YOUNG: I would be glad to. I would be glad to explain the contents of it.

Typically, we re-present this material to the Teterboro Committee every time an election occurs, because we, typically, change certain Committee members at that time.

Briefly, let me recapitulate how noise is measured so there is absolutely no ambiguity about what goes on.

Aircraft noise, from a passing vehicle, creates an event. That event looks approximately like what you see on this graph. (indicating) There is an ambient level of sound that continues uninterrupted until an aircraft approaches an observer point -- and a measuring point, in the case of noise monitoring.

It rises to a peak level and then diminishes over time. These events, generally, all have the same shape in the sense of an elevated peak noise level, but the duration of the event will vary significantly from one aircraft to another depending upon speed and depending upon the distance from the observer point to the flight track of the aircraft.

We need to find a way to get around the fact that we wind up with many similar, but not exactly similar, events that take place. We do that through a simple thing called the SEL concept, the Sound Exposure Level. The SEL concept takes a given peak noise level and we time integrate that into a reference duration event. That event is a standard one second in length.

When we take the events that occur at a given location, during the day and night, and we weight each of the night events by 10, we add all of those one-second-long time-integrated events together, and we average them by the total number of seconds in a day, we get a daily average. That is what LDN is. It is energy summation.

It is as if we were measuring rain with a rain gauge, but the rain, in this case, is intermittent, occurring briefly but intensely throughout the day and night. When we get to the end of the day, we can determine how much rain is there, and that will give us our rainfall for that day. Averaged through the year, we could come up with a statistic called the average daily level, which is what LDN is, the average daily level.

Averages, by the way, are a very good way of understanding certainly aspects of science. If I told you the average flow of a river, for example, you would gain a great deal of information that you could use to compare that river with rivers elsewhere in the State or elsewhere in the country. It does not, necessarily, tell us very much about the peak event.

The peak event on the river is a flood. The average tells us very little about the flood conditions, but this is, in effect, exactly what happens when a citizen hears a noise event. What he hears, at least for an instant, is a flood of noise.

One can live in a location next to a river which, on average, is perfectly safe, but if, for one day out of the year, is subject to flooding, we would not necessarily conclude that that particular location was an appropriate one for someone to live, certainly, not without systems that would allow that individual to avoid the exposure to the flood when it occurs.

There is no parallel mechanism in noise for us to allow individuals to protect themselves against this acoustical flood. There are only three ways to reduce the impact of noise on a given individual.

You can reduce the amplitude of the source, quiet the aircraft. Much of this has occurred.

You can increase the distance between the source and the receiver, because noise, spreading outward spherically from its source, diminishes. It diminishes rather rapidly, because it is being spread in intensity over the surface of an ever expanding sphere.

Finally, we can protect the receiver. Generally, this involves increasing the structural weight of the walls of a building, sealing windows, doors, and other through-the-wall penetrations very tightly, and, finally, turning to such matters as internal ventilation -- air-conditioning -- in order to avoid direct air-to-air contact between the exterior and the interior, since, quite obviously, if the windows and doors are open, the noise insulation in the structure serves no purpose.

In effect, that is how we measure noise. Every quarter at Teterboro Airport, we report to our Committee on the cumulative levels of noise around Teterboro Airport. They fluctuate through time, although, as a generalization, they have been relatively steady over the last several years.

We also divide the total noise that is received into two different categories: aircraft events, which are determined through a series of tests that are made within the computer system-- These tests include amplitude; length of the event; how rapidly the event rises or falls, in order to distinguish aircraft events from other community events, sirens, for example, loud automobiles, or other transient noises that tend to occur. We also report to the community what those other noises are with respect to amount.

Finally, we present the total statistic. Most of the noise-monitoring locations at Teterboro are approximately a mile from the airport, and we consistently find that the cumulative annual noise impact at those locations from aircraft is less than the community noise levels that are created by other ambient sources, particularly, motor vehicles.

Nevertheless, aircraft, because of their prominence, tend to stand out, both in the sense of visually standing out and in the sense that their noise is delivered in short but intense bursts; whereas, most community noise accumulates at a background level that stays continuous throughout the day, such as one gets from a highway from the passage of traffic. There are occasional peaks, but usually a simple background rumble.

Thus, aircraft noise is prominent and easily distinguished from the background. It is laden with visual, as well as emotional perceptions. The reaction to noise is, thus, out of proportion to the reaction to other sources within a community, particularly and especially in more rural areas, where the tens of thousands of people, who have had firsthand acquaintance with the noise in the urban area, have fled in order to obtain a lifestyle which is more natural and, they feel, more conducive to their relationship to the surrounding

environment. In this case, they would view aircraft noise as distinctly inappropriate and unwanted.

That, \_\_\_\_\_ would presume you have no noise problem from a regulatory perspective, you can nevertheless, \_\_\_\_\_ innocuous and infrequent interference with the acoustical environment.

MR. McNAMARA: I have just a few questions.

\_\_\_\_\_ s unregulated. Are the air carrier airports regulated with respect to noise?

YOUNG: Generally, no, in the sense of restrictions. The FAA responds to an acknowledged noise problem through the study of the problem \_\_\_\_\_ e aforesaid annual averages.

McNAMARA: That is pretty much by way of saying that noise is a necessary, even though unwanted, by-product of aviation and aviation is a necessary activity. So, whereas, we can't control it or regulate it, \_\_\_\_\_ ive notice of the results of these studies. Is that it?

YOUNG: Yes. There is grant money available to remediate areas which have been shown to be incompatible.

MR. McNAMARA: What remedies are there?

YOUNG: Well, above the level of 75 LDN, properties subjected to that level of noise are eligible for purchase assistance through the \_\_\_\_\_ ed in Washington for airport and airway development.

The FAA is very conscientious with respect to the placement of noise -- moving a flight track, adopting a procedure that otherwise might not be used -- if they can show that that will have a benefit with respect to reducing incompatible land use.

However, you will generally find that at smaller airports that the level of cumulative noise which occurs does not significantly go off the facility. In other words, it basically stays on the runway. Thus, there is no real Federal program which provides assistance to smaller airports and, in particular, can provide only limited assistance in the sense that there is no control tower at many of these airports directing aircraft and otherwise establishing appropriate procedures to minimize overflights of areas where there has been particularly unwanted kinds of effects occurring.

MR. McNAMARA: Sixty-five LDN is the level at which the FAA recognizes that noise is a problem?

MR. YOUNG: Well, the FAA recognizes 65 as the onset point for incompatible land use. Alternatively, one can view it as the location at which the noise becomes sufficiently bad that there has to be a law.

MR. McNAMARA: At 65?

MR. YOUNG: Correct.

MR. McNAMARA: All right. You had mentioned and showed us those exhibits from, I guess it was the Internet, that you received in respect to Branchburg and Readington's reaction to the proposed runway extension at Solberg Airport.

MR. YOUNG: That is correct.

reasonable  
reaction  
proposed?

YOUNG: Well, it is reasonable in the sense that it is no different than has occurred in many other communities. It is not reasonable in that we would, otherwise, choose to apply. Our system would assert that there is no noise problem. Whereas, clearly, the individuals in this case -- for a variety of different reasons, including noise -- oppose, in the strongest possible

MR. McNAMARA: Yes, but those individuals have not heard the

MR. YOUNG: Well, I put it to you the way I do colloquially. I may not know much

MR. McNAMARA: I would like to ask you a question and ask if that reaction is not a reaction to a perceived problem more than it is a reaction to an actual problem? I'll rephrase the question.

They are concerned about the extension of a runway.

MR. McNAMARA: Will they be as bothered by the noise pollution if it is extended--

from the extended runway as they are today bothered by the prospect of extending the runway?

MR. YOUNG: No. I think you have identified a clear area of concern. Their expectations are significantly different than the realities that would logically be expected to be created. In other words, the problem should not be significantly enlarged. They simply perceive that any enlargement, no matter how slight, is utterly unwanted. Thus, they have an expectation of a problem which is unlikely to materialize.

Do recall that in the last 50 years, since the close of World War II, we have gone through an expansionistic period, certainly, throughout the 40s, 50s, and 60s, with respect to aviation. We entered a stable period at the beginning of the 1980s, and we do not see the kind of expansion -- at least in the near term and the medium term -- that characterized the situation over the early part of the postwar period.

However, most people have in mind the fact that during this expansionary period highways, airports, and other public facilities needed to be expanded dramatically. Thus, there is a continuing presumption that, given the opportunity, any unwanted activity will expand axiomatically, geometrically to the disadvantage of the host community residents.

So I would say that, yes, it is out of proportion with a legitimate projection of increased impact. It is not out of proportion in a sense of the expectation of the individuals based on history and the degree of unwantedness that they feel with respect to the kinds of unwanted events that occur.

So it is a question of how you look at it -- one end of the telescope versus the other. But the substantive answer is: No, there should not be a

significant enlargement of the problem at that specific community as a result of what is being proposed by way of an airport improvement.

MR. McNAMARA: When an aircraft is closer to the ground, in its takeoff roll, perhaps just after liftoff, is there some element of that situation that might make the aircraft generate or cause the aircraft to generate more noise or a louder noise than when it is, say, 200 feet in the air, other than its proximity to the one who is hearing the noise?

MR. YOUNG: No. In fact, in the example you gave, generally aircraft have a relatively small effect when they are on the ground or very close to the ground because of what is called excess ground noise attenuation. The earth itself will typically absorb part of the noise that is being propagated from the aircraft.

As a practical matter, homes -- other land uses that are right next to the airport -- will experience problems not so much because of the increased intensity of each event, but because other events than takeoffs or landings are audible. Engine runups, maintenance, taxiing noises, these are typically addressed through berms or noise barriers placed around the facility in order to reduce the amount of noise transmitted over the ground.

MR. McNAMARA: To avoid ambiguity, we will refer to recurring noise events as repetitive rather than talking about the frequency of them. Is repetitiveness of these events a factor?

MR. YOUNG: Yes, I think it is. Certainly, human beings will psychologically adapt to noise. They will become adjusted to it mentally. They do not necessarily become adjusted to it physically. There may be continuing adverse biological effects of the interruption, of the unwantedness

of the event. Those adverse reactions can include changes to metabolism, changes to the color of the stomach walls, and things like that.

is associated with a certain type of event, the absence of the sound can become

I'll give you an example. In a heliport case which I studied in Alexandria, When they did not hear the helicopter go over they had anxiety, rol. Thus, the unwantedness didn't exist in that situation. Not only was there an effect, reaction.

will find individuals who react to noise in that way particularly low-amplitude noises, infrequent noises, noises that are associated with a negative connotation to the community. In other words, there is a value associated with it.

ce, by contrast, deals with unwanted noises. Chiefly these cases, over-the-ground transmission of noise by excessively noisy aircraft.

Ms. Nagle.

MS. E: Hi. I'm one of the owners of Solberg Airport.

MR. YOUNG: I'm sorry to spotlight your facility.

MS. NAGLE: I appreciate your comments.

I'm not going to address that, but I do have a question. You mentioned that there is, I guess, a widespread category of above 75 LDN that homes, I guess, can get insulation or air-conditioning--

MR. YOUNG: No. The above 75-- The Federal regulations assert that those areas should be owned by the airport--

MS. NAGLE: Oh, okay.

MR. YOUNG: --not utilized for compatible land use, owned by the airport.

MS. NAGLE: Okay. But isn't it true that certain homes, like in Chicago, certain homes can get air-conditioning and insulation?

MR. YOUNG: Oh, yes. Within 65 they will--

MS. NAGLE: Within 65, okay. If it is true that in a rural area people are more sensitive to noise, is it possible that they could get special consideration?

MR. YOUNG: I do not believe so; although, the FAA criteria do not specifically forbid the application.

MS. NAGLE: So it is just a priority system?

MR. YOUNG: It is a question of priorities.

I had a case in Palm Beach in 1989. We estimated that there was approximately \$1 billion worth of residential real estate in Palm Beach within LDN 65, to give you a feeling for the extent of the problem that existed at that time. I will tell you that the situation has been reduced somewhat since, but there are still many thousands of homes within LDN 65 in that particular airport area and, for that matter, throughout southeastern Florida.

MR. McNAMARA: I take it, it was of the value of the land?

MR. [redacted] purchaser, I am quite sure there would be a reduction. Many of the residents of that particular community [redacted] of [redacted] that exist, and wind up, as Mr. Donald Trump did, owning a [redacted] piece of property with unacceptably high levels of aircraft noise impact.

MR. ENGLE: Mr. Young, right now-- We have heard previous testimony that the State has sound monitors out counting aircraft at 36 airports in State. Would you think it would be advisable, once this project is over, for a change in software to occur, to do some typical sound monitoring throughout the State at general aviation airports to provide benchmarks on noise at those airports?

MR. YOUNG: Yes. I think that would be beneficial. Noise monitoring has a number of advantages to it. It allows a better in-depth understanding of what actually takes place. It permits accountability. It puts the matter of noise into the context of science as opposed to subjected merely to public opinion.

I think there eventually comes a point at which it is not necessary to continue on, in the sense that unless there is a regulatory purpose in the sense of a weeding out of unwanted aviation activity, that after a relatively reasonable period of time -- somewhere between several weeks and a year --

you will have accumulated sufficient data, that you will find it is simply repetitive year in and year out.

Thus, we would not necessarily presume that continuous noise abatement measures are justified in every situation where we need to have hard information on which to base public decisions.

MR. TETERBORO:

No. The Abatement Advisory Committee is relatively well known by providing citizens with a forum, an opportunity to be informed of what is going on, to provide input, to become a part of the decision-making process. The impact of the noise problem has been greatly reduced at Teterboro.

Teterboro, however, is an airport where the problem is, basically, with turbine aircraft. The majority of airports with which this Commission is concerned are airports that cater solely to piston aircraft.

Do you know of any instance where there has been any comparable success at an airport in that category?

MR. YOUNG: Not in the exact model of Teterboro, and you're quite right to point out the distinction. Nevertheless, it has been my observation, over many years and many different types of facilities, that aviation to a greater degree than other public institutions is not integrated into the overall community in the sense of well understood as a public asset.

Further, there is no routine reporting which goes on to the local community, no ability for local public officials to bring concerns to the airport, or for the airport to report to the local community those kinds of realities

which

y

need not.

the case of a heliport siting, we had a case--

In this c

heliport. At the public hearing for permitting, several individuals objected to

heliport. The following day, the proponent went to see each of those

s and reported back that the individuals felt that if the proponent  
cared enough to come and talk to them that it was probably going to be okay.

ELLIOTT: What you're saying then is that if the smaller  
airports took the same approach that Teterboro is taking and that this heliport  
case was taking that they probably could achieve an equal degree of success.

MR. YOUNG: Yes. Referring back to my earlier testimony and  
the fact that the toleration for noise impact rises significantly with the level of  
trust between those who operate the airport and the aircraft and the greater  
public -- particularly, the public of elected officials -- when that communication  
is sound, perceived to be functioning effectively in a two-way dialogue, you will  
minimize the adversity with respect to reactions, and you will empower the  
local decision maker to differentiate between that which is real -- in the sense  
of an adverse acoustical effect -- and that which is hypothesized or expected to  
occur as a result of change, expansion, or other difference in the way of  
operation of the aviation facility.

I strongly endorse the concept of communication between airports  
and public officials of the host community.

MR. ELLIOTT:

e

not assumed the responsibility of initiating steps to cr  
between themselves and their host communities.

MR. : I think that is a reasonable characterization. I  
that since this kind of interchange is not characteristic with  
respect f  
communi it simply doesn't occur. If it doesn't occur, that vacuum of  
s and the climate  
with respect to acceptance of the airport will be reduced concomitantly.

MR. McNAMARA: Mr. Yudin? (no response)

Just two quick ones. Have you consulted other airports in New  
Jersey?

MR. YOUNG: Yes. I have worked at Atlantic City Airport,  
Teterboro Airport, Lakewood Airport. A number of other facilities I'm familiar  
with -- Newark Airport, certainly. The volume of available resources for  
sophisticated consulting personnel at general aviation airports is relatively  
small. Thus, I have not had the opportunity outside of regular airport  
planning and environmental impact studies to engage in some of the activities  
that we referred to here today as being so beneficial with respect to improving  
the public milieu in the sense of acceptance of aviation and airports.

MR. McNAMARA: Are you familiar with any Federal noise  
regulations on other modes of transportation or other transportation systems?  
Trains, trucks, interstate highways -- regulations that control noise in any of  
those areas?

MR. YOUNG: Yes. There are similar regulations for other forms

MR. McNAMARA: Wait a minute. We've already started saying regulations of noise, how much noise you can make in aviation. Now, are there any in other modes of transportation?

YOUNG: Certainly. That is why you see noise barrier around highways. That is why, to a degree, you will see some activities with respect to placement of rail lines.

There are profound differences between aircraft noise and other transportation noise sources. However, from a regulatory standpoint, all transportation noise with respect to levels of cumulative noise tends to be treated alike with respect to standards of significance.

There are profound differences between aircraft noise and other transportation noise sources. However, from a regulatory standpoint, all transportation noise with respect to levels of cumulative noise tends to be treated alike with respect to standards of significance.

Speaking, throughout the acoustics of the subject, all transportation

It has been my personal observation that human reaction to noise is a unique phenomenon that is more controversial with respect to human reaction. Thus, there tends to be more concern about human reaction to noise than would occur with respect to other forms of transportation noise.

MR. McNAMARA: Mr. Young, I feel--

MR. McNAMARA: Yes, Mr. Engle.

MR. ENGLE: Mr. Young, people are talking about noise regulations. Since October of 1990, is it really possible to put noise regulations realistically on airports?

MR. YOUNG: No, it is not really realistic in the sense that the Aviation Safety and Capacity Act of 1990, in effect, deleted the opportunity for airport operators to impose facility-specific noise regulations, i.e., restrictions on traffic.

There are other regulations that can be imposed; although, principally, the way to reduce a noise impact is to curtail it. Airport operators cannot do that in the sense of an administrative law. What they can do is to attempt to achieve the same ends either through an FAA regulatory exercise, called Part 161, or through simple agreement between the users of the airport and airport management. In effect, the time for imposing regulations closed in October of 1990 with the establishment of that law, the other half of which was to accelerate the phaseout of the aforementioned Stage II aircraft by the year 2000.

In other words, there was a trade-off, and that trade-off said, "We'll get rid of the noisy airplanes a little quicker and incur that economic cost. However, in order for us to successfully operate such enterprises as airlines, there need to be uniform standards throughout the country." To achieve those uniform standards, individual, facility-specific regulations were, in effect, prohibited unless one goes through a relatively cumbersome record-setting process -- regulatory process -- through the Federal government, known as FAR, Part 161.

MR. McNAMARA:

addressing us all day for several days. We are very fortunate to have had you before us today. I appreciate very much the testimony you have given

Thank you.

M . YOUNG: I'm happy to be here. Thank you very much for the opportunity to address you.

McNAMARA: I would encourage you to just give any bits that we have discussed, and any others, to Mr. White, who will append them to the record. We would appreciate an  
him.

e  
hat to Mr. Engle, he'll see that  
appendices on this testimony.

we would like  
in this roof as part  
effective. (laughter)

MR. McNAMARA: Is Reverend White here?

**R E V E R E N D**

(from audience) Yes,

M . McNAMARA: Reverend White, would you come forward?  
you have others who are going to join you, would you bring them forward,

REVEREND WHITE: Yes.

MR. McNAMARA: While everyone is settling down, I'll just relate a short story. I am the Vice-President of the Council on Aviation Accreditation, which is the national accrediting agency for university and collegiate programs in airway science and other aviation programs.

Relevant to that, I was at the Daniel Webster College up in Nashua, New Hampshire, a few weeks ago. Arriving at their airport in the evening, the college representatives picked me up, took me over, and parked me at a table in the cafeteria.

At that table, was a young lady named Chrystal Dunbar. I was impressed by this young lady. She was very brilliant, very well expressed. Daniel Webster is, of course, a college which focuses on aviation education and airway science programs. She is a freshman at the college.

I said, "Well, where are you from?" She said, "I'm from New Jersey." I said, "That is interesting. Where in New Jersey are you from?" She said, "Well, I'm from Newark, New Jersey." I said, "That is interesting. We used to have a chocolate factory there. Where are you from in Newark?" She said, "Well, on Bloomfield Avenue."

It turned out that she was not too far away from where our chocolate factory was. I said, "Well, however did you come"-- I knew that to be a very depressed area, and I thought it was an anomaly that peaked one's curiosity to determine how she would end up in an aviation program, which are notoriously expensive. I said, "However did you happen to come to Daniel Webster?" She said to me, "I wouldn't be here at all if it weren't for the Rev." I said, "The what?" She said, "The who." Then, she looked at me and smiled and she said, "Reverend White."

I had read about  
years ago h  
Chrystal, I realized that our work would be incomplete if we didn't have  
record some input from, if I may say so, the Rev.

Rev White, I see you are accompanied by three ladies.  
you introduce them, please? I would like to administer an oath to all  
four of you in conjunction.

Mr. Chairman and members of the Commission, I  
introduce to you Ms. Justine Congleton, whose two daughters went through  
the program. One is now a podiatrist and a doctor down in Atlanta, Georgia.  
The other daughter is an MSW and an assistant director for the group home  
in Union, New Jersey.

Next to her is, representing Dr. Howard, Superintendent of  
Schools of East Orange -- where we are working with the Unique Schools  
Program, which is getting quite a bit of publicity at the present time from other  
school districts around the nation -- Ms. Vanessa Pickraum.

Sitting next to her is Ms. Felicia Key, just retired from the New  
Jersey State Social Workers Association and has worked with various social  
work organizations.

In our program, we are surrounded by people who have quite a bit  
of skill. Everyone who touches our students is highly qualified. We are very  
careful about who teaches or works with our students.

Ms. Congleton is a math major and has hours on her Ph.D. Ms. Pickraum, likewise, is working with adult education. She is in the elementary school in the City of East Orange.

MR. McNAMARA: Now, Reverend White, and all of you, do you swear that whatever testimony you give this Commission today will be true subject to the laws of perjury of the State of New Jersey?

REVEREND WHITE: Yes.

MR. McNAMARA: All have indicated in the affirmative.

Reverend White, please proceed.

REVEREND WHITE: I have passed a packet out for you which is excerpted from a book -- well, it is a magazine and an instruction booklet -- called *Look Up And Be Looked Up To...*, which has been compiled by the National Association for the Self Employed. It is the story of Eagle Flight. It also deals with its purpose. Also, I am going to deal with the successful attainment of our program objectives of Eagle Flight over these last 21 years. But I am not going to take the time to explain 21 years of work. I'll give you a brief overview.

The Eagle Flight Squadron Incorporated has had an extraordinary success in accomplishing its stated mission: to encourage inner-city youth and young people to develop a trade, educational and manual skills, as well as to build strong character in its students.

According to a recent survey of former Eagle Flight students -- I will get this evaluation of the program to you, especially of this document (indicating) -- 96 percent of our Eagle Flight students completed their high school education, with 32 percent of these same students fulfilling the

requirements necessary for a bachelor's degree in postsecondary institutions. Unbelievably, all students who had completed high school had attended at least some college or received additional training in the military or vocational/technical institutions.

These are, indeed, impressive statistics. It was impressive to me, because we hadn't bothered to really track the kids. Once they had passed through the program, we would depend upon them to come back and say hi. We would say, "How are you doing?" They would say, "Fine." But we had no documentation whatsoever until the national NASE came in and said, "Rev, we're going to need to put our finger on all of your students to see how you are doing."

They did just that in a telephone survey. We kept all of our rosters in our files, and so on. They put their finger on every single student, the same way CBS did when they came in and did the *West 57th* piece, which was played nationwide. They are very careful about the accuracy of information, and so on. Well, as it turns out, 96 percent of these students went on to do all of the kinds of things that we have been talking about.

Later on, we find that 59 percent of the East Orange high schoolers drop out of school before high school graduation. Twenty-one years ago, we found six young people cutting class. I found them out on Main Street. I stopped them. I said, "Where are you going with your lives? What are you going to do with your life?" "Well, Rev, I don't know."

Come to find out, these young people were straight A students cutting classes. Why? Because they were not challenged. About that time an

airplane passed overhead. I said, "How would like to learn how to fly an airplane?"

I have been in love with aviation ever since I was 14. It broke my heart to see Hanover Airport close. We lost that one. I hate to see us lose airports.

All this weekend we watched the war, the Second World War -- Pearl Harbor, and so forth -- and we weren't ready. We sat back with broomsticks learning how to manipulate the controls sitting in a chair, flying the old wooden-link trainer and that kind of thing. We got caught short, and I hope to God we don't do it again. Keep our airports open, teach these young people so that the day will come when their generation will be working in space.

Many of the young people who are going to graduate are going to work for NASA. It has already started. We need the airports, the Cessna 150s, the 172s, the Pipers, all of those aircraft. We're going to need them to teach these young people how to fly. We need the Blairstown Airports with the gliders, and so forth.

So I saw that these young people had a great opportunity. I could envision starting with a model and developing that model. That model indeed has been developed, and it now can be replicated across this nation. Already, we're plugging into the East Orange Board of Education where their junior high school group will be the first junior high school in the State, I believe, who will fly actual aircraft in the Unique Schools' science program that Dr. Howard and the Board of Education has implemented. His representative is here today, and she will probably address that in a few minutes.

So these young people, six of them-- I took them out to Morristown Airport after I had said to them, "Do you want to fly?" "Yes," and one of them said, "Gee, can I do that?" "Yes, you can." "Okay, teach me how to fly." "When?" "Today." "Fine. Meet me after school."

Never do that. Number one, make sure you have some money, which I didn't have. Number two, get to know some folks, which I didn't know. Find out where the airports are, and I didn't know where they were either.

Sure enough, I went to the office -- my discipline office -- and I said to myself, "I better get on the phone and call somebody." So I took the phone book and, lo and behold -- I want to give credit to all of those folks-- A program like this does not exist by itself and because of one person.

Thank God for Nancy and Fred Hightman of the Morristown Airport, the certified pilot center out there. When I called them, they said, "Bring those young people out here. We'll see you up here after school." They went up in a 172 with Lloyd Kruger, one of the instructors. They were flying up there.

When they came back the entire conversation was, "Oh, wow," coming down South Orange Avenue. I said, "What did you say?" "Oh, wow." I said, "Okay, let's get organized."

Now, I knew I didn't have an airplane. I knew if you didn't have money -- and I didn't know anyone really-- I said, "Okay, we're going to develop a drill team." That turned out to be the glue. They turned out to be champion drill team members and won awards, gosh, all over the place. That

kept us together until I could find out how we could organize an aviation program.

I knew nothing about how you organize an aviation program, how you involve other students. I don't want to just stay in East Orange. I don't want to stay in Essex County. Our whole State, every young person that is at risk has the opportunity, by way of aviation -- by way of aviation. We can use this instrument, this carrot, to keep these kids out of jail who don't belong there in the first place. Because if we can teach them how to fly, and if we can become the motivators-- I don't care if they never fly an airplane. The point is, that is our carrot.

Sure enough, we can talk about the nine graduates of the Air Force Academy, the six graduates of the Naval Academy -- one who is now a jet pilot instructor. One of our girls went to FIT -- I mean, Embry-Riddle -- graduated, and married this young man. They are both in Hawaii, and I am still in East Orange and broke. (laughter)

But what I'm simply saying is, you can't do this kind of thing by yourself. I thank God for the Nancy and Fred Hightmans; the Phil Hendricks; the Jack Elliotts; Art Schmeil, Essex County Airport; the President of Teterboro's School of Aeronautics -- any number of people who saw the potential and saw the value of what we can do with our young people.

We cannot continue to pay \$100,000 a copy, when we can take 60 or 70 hours of flying, give a youngster a skill, and then, we see to it they go to the university such as the Naval Academy, the Air Force Academy, the Merchant Marine, the Coast Guard, Purdue, Ohio State, Penn State. All of the students who have graduated from these schools that I am talking about,

we can take them statewide. We say, "New Jersey and You." Let's go to work and bring a million dollars or a billion dollars worth of publicity to these various communities that this gentleman who just left us was talking about.

We brought a million dollars worth of publicity to Fairfield Airport -- to Essex County Airport, now -- to East Orange, to Newark, to Belleville, to Nutley, to Englewood, Teterboro, you name it. Every time the TV camera comes into a community, we mention the fact that these are the people at these airports who have given us the opportunity to base two of our airplanes.

One is a Cessna 172 that was donated and flown in from Texas, I mean, from Florida by some folks from Texas. This airplane is known as Snoopy. The name stuck. Cessna 172-843 Uniform--

MR. McNAMARA: For the record, Reverend White is holding up a photo.

REVEREND WHITE: --based at Essex County Airport. This airplane is for our larger students and is now very well equipped for all IFR flight. We have every instrument in it. We worked to collect quarters, nickels, and dimes on the Parkway to buy the instruments, the radios, the Luran and all of that. It is in that airplane.

This aircraft (indicating) is called Droopy. Now, Brother Elliott knows about this aircraft because Aletha Williams, who graduated from the Naval Academy-- Mr. Elliott did a tremendous article in regard to this young lady. She went down to the Naval Academy, broke two Naval Academy track records -- 1600- and 18-meter track records -- then, turned around and broke her own record. She learned on this aircraft, learned how to fly, then, graduated to the 172. She is now an ensign in the Navy. I don't know where

in the world she is on the aircraft carrier, but she is gone. She is at sea. She graduated.

Now, she would run along Park Avenue to West Orange, up Eagle Rock Avenue and all the way back before school -- that is while she was in high school -- maintained an *A/B* average, was a finisher, and she was a tremendous student commander of the Eagle Flight Squadron with a population of students in this program of somewhere between 75 and 80 students.

This aircraft (indicating) is a picture taken on landing at Oshkosh, Wisconsin, flown by Frank Velez, who is now a helicopter aerial observer in Germany, and he is doing quite well. He flew the cross-country with an instructor at 17, from Essex County Airport all the way to Oshkosh. At the end of the runway, we were there waiting for him as they took this photograph of Droopy landing. It was then placed on display at the Youth in Aviation Tech at Oshkosh, Wisconsin. Paul Proberezny and Tom Proberezny laid out the red carpet for Eagle Flight.

For the last seven years we have been having the EAA, an association of which I am now a member and have been for some time, along with AOPA-- We believe and know that in order for us to do this kind of thing, we need our airports, all of them, including those grass strips.

When we have student pilots out there-- Those of you who fly may have run into the situation where you, all of a sudden, feel that you just passed your destination airport when, in fact, you haven't even reached it. All of a sudden you cry out for help -- "DF steer, please" -- or you have a caution warning light. Rather than landing on 280, I like to have an alternate runway,

like in Hanover, to set down in there so we can get things done instead of putting the plane in the trees.

These are the important things that I see. I see so many wonderful things happening through aviation in New Jersey. I think we need to do everything we can to maintain our high level of training, marketing. We need to talk to our high schools. We need to strengthen our Civil Air Patrol. See to it that we have the proper search and rescue situations going on. Our 172s are available. In the event of an emergency, we have instructor pilots, commercial pilots who volunteer their time. All of our people here, including our staff at home, are all volunteers.

We have taken the profit motive out of aviation to a degree. Where we have to, yes, pilots need to earn, instructors need to earn their money in order to teach people how to fly; however, for programs such as this, volunteers can do a tremendous job. If you are a math teacher, you can help students with their math and remediation if needed. English, history, life skills, primary flight, advanced flight, cross-country flight, and all of the things to license you, these are the things I dreamed of and thought about. Lo and behold, with the help of folks such as yourselves and all of the people from across the country, they have been helpful.

Now, they say, "Okay. How are you funding this program?" It is amazing. Instead of, "How many students have you put through the program? How many of them are successful?" the first question is, "Pardon me, Rev, where do you get your money from?" We know that aviation is very expensive.

Well, we have some wonderful people. If there are any angels on earth, they hang out at airports. We have people from Texas and from HUD -- those are our basic grants -- and people from Texas who contribute enough money to keep us going each year. We are grateful to them for that.

For the equipment, such as computers, such as books and magazines, things like that, they come from people who stack up magazines about aviation. They come and dump them off at Eagle Flight at the Upsala College gymnasium where we are based now.

The Board of Education from the City of East Orange just bought the Upsala College campus, and they said to me, "Stay put. We are going to work and renegotiate your contract downwards on the lease so you won't have to go anywhere." So we now have permanent home at 344 Prospect Street in East Orange. At last, we don't have to serve as vagabonds anymore going from place to place. Every time, probably, we get in touch with Phil, we are locating somewhere else. He says, "Why, I thought you were at such and such?" "Hey, listen, I couldn't afford it. We had to keep going."

So essentially, this is just an overview of what we have been doing and what we are trying to do. I thank God for the staff that we have, people who are committed to young people. We now have young people from Burlington County, from Essex Fells, from Englewood, from up around Moonachie, we have students from all over the place, including East Orange/Newark.

At one time, we sort of focused. Now, we're asking students "Don't come to us with a *C* on your report card, because a *C* means see you later." Now what we did is we take them in with a *C* for one marking period

only. “If you don’t have that *C* off of your report card, we’re not going to play the game that the public school system plays. You don’t qualify, you don’t get into the program. We will drop you. We’ll give you an opportunity.” A mother comes in, “Oh, but he has a *D*.” “Fine. Take him back to the school to the folks who are being paid to see it that he doesn’t have a *C* on his report card.” We are not about to remediate anybody’s kid. We are about prevention.

What is wrong with aviation? Why do you have the people complaining? It is because they are adults who transferred their fear of aviation to their students. As a result, they have this anxiety and the white-knuckle concept. No good. We get them before the streets do, and we get to them before adults and others build their fear into these young people.

Flying is one of the safest forms of transportation, as you all know. We also know that once the youngster can maintain and overcome that challenge of flying the aircraft, he will be a success for the rest of his life. Why? Because you have given him a dynamite victory.

So as a part of our ministry-- We don’t talk about the church, that is a parent’s responsibility. We live it. We walk upright before these students. When we say, “No,” we mean no. When we say, “Yes,” we mean yes, and “You will follow instructions to the letter.” Why? Because once they are solo and they are in the air, we’re on the ground, and Rev builds about 20 more gray hairs up here until they finally finish that last touch and go. When they turn off the runway onto the taxiway, stop the aircraft, change to ground control, come back to our area, that is when I breath again.

Because, you know, momma will bring sue to town. So that is why *C* and *W* Aeroservices are the only ones who touch our aircraft. We have a history on every single one of these planes, both of them.

So essentially, Eagle Flight has now become known nationwide. All because of people who bought into a crazy preacher's idea that young people could fly, solo at 16, licensed at 17, and on into the flight schools.

SAT scores-- They come to us as *C* and *D* students sometimes. That is what they used to do. Now, they come to us with a *C* for one marking period. After that, you must have your grades -- *A/B* average. That is what we strive for, and guess what? It works. We're tough.

I had hoped to have two of our student pilots here, who are getting ready to finish their 300-mile cross-countries. I wish I had had them here, but they couldn't get out of school. So we just want you to know this is what we are doing at Eagle Flight.

I will stop here. Ms. Pickraum, who is the President of our parent's group--

You might talk to them about how that began.

**VANESSA PICKRAUM:** Okay.

Good morning, again. I do have two hats.

MR. McNAMARA: Please just say your name as you start off.

MS. PICKRAUM: Okay. My name is Vanessa Pickraum. I am, in a sense, wearing two hats. One, I'll start with the one he introduced me as the first time. (movement of microphone)

MR. McNAMARA: Reverend, she has her own microphone.

REVEREND WHITE: Oh, okay.

Mr. White makes us speak into these mikes. He gets very upset if we talk into the other fellow's mike.

Go ahead.

MS. PICKRAUM: Okay.

As I said, I am wearing two hats today. One, I am representing the East Orange School District. Dr. John Howard Jr., who is the Superintendent of Schools, and the East Orange Board of Education together have adopted a program which we call the Magnet Schools.

Every school in East Orange has their own unique theme. Some schools are involved with desktop publishing. We have other schools that deal with, basically, foreign language, where the students will speak a foreign language all day long. When they get finished with certain schools, beginning with elementary school, they will learn how to master at least two to three languages.

The school that I work with happens to be a science/technology school. We have three schools that have that unique theme, starting with an elementary school. The school I am in, Sojourner Truth, is a middle school. Then, we have the high school, which is Clifford J. Scott High School.

Our theme, science and technology, involves building computers, from biomedicine-- We have TV production. The important part that we are talking about today is aviation. There is an aviation component where our students will learn aviation in the middle school. There has been a curriculum in place where the students will actually learn how to fly a plane. We even have a course where it deals with airport management. We have a lot of

science/technology hands-on activities for the students in the middle school, which I am very pleased to say, because I teach there as well.

The students, as I said, will be starting very soon working with Reverend White, and it will be run, basically, the way Reverend White runs Eagle Flight. We will have the students who will excel. With Eagle Flight it is not a rehabilitation center, as you can well see. The students will have to maintain that *A/B* average. We have found that when a student is really interested in something, they will maintain that particular average. So I am very pleased to announce that the Board of Education of East Orange has realized that this is something very, very important.

My other role happens to be the PTA President. I do have a child in Eagle Flight. I don't live in East Orange, but if I did, I would definitely have my daughter in my own school. I live in Union, so therefore, she is not in a magnet school, but she is part of Eagle Flight.

As the PTA President, I can say that Eagle Flight is a great program, an excellent program. The PTA, the parents are definitely involved in all aspects of Eagle Flight. We encourage the parents, and it is also necessary for the parents to take part in Eagle Flight.

They deal with the entire development of Eagle Flight. Any programs that have to be implemented, whether it is going to be a field trip, the parents are involved in that, even if it comes to the part with reprimanding or disciplining the children, because Reverend White deals, definitely, with discipline.

It is to the point that the parents have to cooperate with Reverend White. He will, from time to time, make checks to the homes. He will come

to the home and check to see that the child has a well-kept room. He will enter, with the parent's permission, of course. We know that he is coming, but our children don't. He will come in, inspect the rooms, pull back the sheets, see if the beds are made properly, pull back the beds to see if there is any dust behind there, dust over the doorsills, dust behind the dresser. He will check for everything. He will check in the closet to see to it that they are well-disciplined as far as hanging up their clothes properly. The shoes are placed neatly in the closets. It is a complete discipline of the child.

We have a drill team at Eagle Flight. As I think Reverend White did mention, they did receive several awards. It seems like every parade we go to -- I'm not bragging, but every parade we do attend, we never compete. As Rev says, "We go to collect." We go to collect, always, the number one place in the parade, because our drill team practices daily.

It is all involved with the PTA and the support of the parents. The parents are, in a sense, a guidepost. We work along with Reverend White. As I said several times before, it is an excellent outfit. We, as the parents, have begun a newsletter, which you will see in your packet, because we are starting with our new theme for this year, recruitment.

We have so many students who left Eagle Flight because they have graduated from high school. We're looking around and saying, "Where has everyone gone?" Everyone grew up. Everyone is 17 and 18 and becoming high school graduates. So we are in the process now of recruiting students for Eagle Flight. That is our theme for this year, recruitment. We are out recruiting students who are, basically, *A/B* students, who might need a little bit of help, because all of our children need a little bit of help.

I like to think, as an educator, my daughter is perfect. She is not perfect. I have to stay on her and make sure she does the things she is supposed to do, make sure she is an *A/B* student. When she slips with a *C*, it is “Okay. You have a *C* on this test. You’ll have to bring it up. If not, I’m going to report it to Rev.” That is word in my house, “If you have another *C*, I am going to report it to Rev.” So you know she is going to strive to get that *A* or the *B*.

She is struggling right now in chemistry. I saw a 72 the other day, and I said, “You know, I think maybe I should show this to Rev.” “Oh, no, ma. Oh, no, no, no.” The next test, she came up with an 85. She is struggling with the chemistry, but she is maintaining that *A/B* average because she knows that she wants to be a pilot. She knows that right now she is on flight status. If you are falling behind, Rev will pull you right out of flight status. We will take the uniform from you.

The students are to the point now where if you have your flight uniform, that means power. “I have obtained it. I have received all *A*’s and *B*’s on my flight test” -- in the flight classes, because we do have flight classes. That is the only way you can get the flight uniform. Once you obtain an *A/B* average in the flight classes, as well as school, then, you get that uniform.

If you have a problem with a *C* or a *D* on your report card or you bring in too many bad grades -- especially in the flight classes at Eagle Flight -- you will have your uniform taken away from you. Many of the students strive very, very hard to maintain those excellent grades. It is that extra support that all parents wish they had. “How do I get my child on the right track?” Eagle Flight is the place for the child if your child has an interest in aviation.

As Rev said, it doesn't just deal with Essex County. We are throughout the State of New Jersey. I live in Union County. My daughter is involved in this. We have someone, a parent, I believe, in Saddle Brook we have coming up?

REVEREND WHITE: Englewood.

MS. PICKRAUM: Okay. Englewood.

REVEREND WHITE: Tony Posado's mother is there.

MS. PICKRAUM: Okay. There is also someone farther south.

REVEREND WHITE: Yes. That is Burlington. That is Omar McPherson, a licensed pilot now at 17. He graduated this year.

MS. PICKRAUM: So it is a very exciting-- If I seem like I am excited, I really am, because I am wearing two hats. I am representing the school district which I work for, but the part that really makes me excited is the parent participation. I am a parent, and my child is also involved in Eagle Flight.

It would be nice if some of you-- If you don't mind, you can come to visit us to see exactly how the program is run. You can visit us at the airport or at Upsala College, because that is where we are housed at this particular point. The East Orange School District purchased Upsala College. That is part of the East Orange School District, and we are going to use that with Eagle Flight and implement other great programs in the City of East Orange.

MR. McNAMARA: A question: Could your daughter have afforded to learn to fly without this program?

MS. PICKRAUM: No.

MR. McNAMARA: Has your daughter been demonstrably a better student because of this program?

MS. PICKRAUM: I believe, in all honesty, she has.

MR. McNAMARA: Has she been a better child, in terms of-- I mean, I'm a parent of nine. (laughter) I'm speaking with some authority.

REVEREND WHITE: Bring them to Eagle Flight.

MR. McNAMARA: I wished I had, Rev, when I heard about the dust above the door lintels.

REVEREND WHITE: Come on up.

MR. McNAMARA: Has she been a better child?

MS. PICKRAUM: Yes, she has. When the Reverend was laughing-- Because I hoped he wasn't going to mention it--

REVEREND WHITE: No, no, no.

MS. PICKRAUM: --but we had a problem with my daughter in the beginning with having a great imagination. Because she was in Eagle Flight, she has changed dramatically, because she knows exactly what she wants to do with her life. She has that direction. She has that goal. Because of Eagle Flight, she is definitely on the right track now.

I like to think that I'm a great parent, but I do know, if I didn't have Eagle Flight in place, it would probably be a bit more difficult or maybe impossible when you think about it, as far as getting her on the right track and getting her motivated.

MR. McNAMARA: Thank you very much.

REVEREND WHITE: I would, at this point, have you ask us questions, because I think there may be some things you might want to know

and I might miss them. So I don't want to spend too much time doing a narration while you can ask questions. I will be very happy to answer them.

MR. McNAMARA: I have a question.

REVEREND WHITE: However far you want to go is fine.

MR. McNAMARA: I have a question. Chyrstal, the young lady I met up at Nashua, New Hampshire, told me that there were three things that you required of a student to stay in this program. One, was to stay in school. Another was to stay off drugs and alcohol, and I can't remember what the third thing was.

REVEREND WHITE: The other one is you must maintain not only your education -- I mean, stay in school, get your grades -- but you must be a finisher and not an ender.

Now, what do I mean by that? Many young people and many adults are in love with an idea, but they never finish anything. They always start, get halfway through it, and then, leave it. Leadership types gravitate toward Eagle Flight. It is a strange thing. But those young people who are leaders, and believe it or not, most of them are the leader types--

I tell the young people, "The only thing you bring to the table is not your color, not your language, not your background, not your religion. What you bring to the table is your brain." I want everything in the head rather than on the head.

"I don't need Spanish right now." "Well, I would rather have it and not need it, than to need it and not have it. You take Spanish and you will pass it. Ms. Waye and a few of our people will help you with your Spanish

when you come here on Thursday evenings.” So we have French and Spanish in the program now.

We’re waiting for another instructor for the Spanish section. Ms. Crooms is teaching the French section. Why? Because our first airline captain, who is Irving Carter, flying for UPS out of Newark, said to us, “Rev, we’re on the international route. We need to understand French and German. You better put it in the program.” So these youngsters are multilingual. I said, “Fine.” and that is exactly what we have done. So we demand that of the students.

Those who are commanders -- like, we have one bird colonel in the unit, lieutenant colonel, majors, captains, and so forth-- Now, we’re not training students for the military, but I also understand that many of them are going to go into the ROTC Programs when they get to college, because they can see the benefit.

Those who are going to the Air Force Academy, they’re already platoon leaders before they get there, because we have done this quasi-military kind of thing. So if they go the civilian route, fine. If they go the military route, they are well rounded, and they can handle it.

One thing about Chyrstal: she is a loner, yet very personable. She would make a great fighter pilot, because she enjoys being in the cockpit alone. She doesn’t need a crowd. Very aggressive, yet very low-key. Sharp with a pencil, tremendous mind, completely focused. This is the kind of student that we have coming out of Eagle Flight.

Up there at Daniel Webster, as a licensed pilot, as a freshman going in, she went right into the commercial program. She received a \$10,000

merit scholarship as a result of having her license, and she does not have to pay it back, and I'm still broke. (laughter)

But this is the kind of student-- Aletha Williams, same thing. John Eubanks graduated last June from Embry-Riddle, married a young lady who graduated from Pace College, is now with the Air Force as a second lieutenant in California and is doing quite well. Derrick Garvin, jet pilot instructor, now he is flying P-3s, married Bibi Stuart, who is down at Embry-Riddle. I kind of think that she went down to Embry-Riddle to find out where Derrick was so she could track him down and marry him, because she knew that she was going to Hawaii where they are now. So they are doing great. (laughter)

We could name any number of students. We have an entire list. When we mail to you our booklets, which will identify all the colleges and universities, the students who have graduated who now have their college degrees and/or licenses to fly, and those who are moving upward in the airlines, such as Irving Carter, Jerome Lee, Jim Harrison, flying for USAir, and all of the others who are moving out there--

So we say, please, somehow let's talk about our "little" airports. They are very valuable. They are vital. We need them. We could never have a program like this if it wasn't for an Essex County Airport or a Morristown Airport or a Hanover Airport where we have had wonderful experiences.

We need to do everything we can to go to people who are complaining. They're, "Well, I'm afraid to fly." You should hear the negative kinds of things that we ran into when we began. "You're going to get those

kids killed out there. Somebody is going to have an accident.” “Hold it. Suppose we don’t?”

That was 21 years ago. Today, everyone now wants to play “me too” in the community. They have more confidence in aviation now than they ever did before as a result of their kids coming in and talking to them about how great it was to fly. Now, the parents are going out to the airport.

Now, we’re requiring parents to go up in the airplane some time before our new kids go up. “Oh my God, not me.” “No. You’re going to actually get in the airplane with one of our instructors, go up in the 172, and you’re going to fly the airplane.” Now, “Rev, when are you going to start the adult program?” (laughter)

This is how we have presented it. This is how it has worked. I’ll tell you, I’m having more fun now with my ministry, my church, with my young people, with all of our teachers, and with the larger community out there in the corporate world. It’s a ball, I’m telling you. I wish you guys and folks could come with me and walk with me through this so that we can begin to let this State know, let the corporations know, let the people know that you need your airports. Without that, we’re going to be in deep trouble.

Yes?

MR. McNAMARA: Rev, you had mentioned during your comments that you have a model now that can be duplicated around the State.

REVEREND WHITE: Yes, sir.

MR. McNAMARA: Would you speak a little more about that? How would that work throughout the State of New Jersey?

REVEREND WHITE: Well, we would submit a proposal to a Board of Education or to an organization, and that proposal would entail our coming in and helping that group or organization select the right personnel. We poured tons of money into the urban centers, into the educational system -- public -- it failed. The State came in and had to take over, because of money being misappropriated, so forth, and so on. We can eliminate that by selecting the right personnel.

We must have people working with programs who have that ability whereby the kids will invite you into their world. "We're going to have a program. We're going to teach people how to fly." "Great. I want to help." That is fine, but those of you who have been in business know there are some folks who you put in the office, and if they have to deal with people on a one-on-one, they would drive folks right out of the business, demoralize people and that kind of thing. Eventually, you have to fire them.

Get the right people. We'll help you to do that. We know how to identify that motivated person who is going to concern themselves while seeing to it that the students get everything they are supposed to get, number one.

Secondly, we can help you with the writing of proposals, with the philosophy of skill and economic developmental prevention, hands-on programing. You can have all the aviation programs you want, all the model airplanes clubs that you want. We have a radio-control flight team out there that we're working with now. Radio-controlled airplanes flying in formation. We're working on that right now out at the AMA field at Pequannock. That

is where we go to fly the aircraft. Now, we can fly them in back of the Upsala College campus football field.

But we can take these young people and help identify them, networking with your guidance counselors, with your Chamber of Commerce, with your local airport, with your aviation writers, with all of the people on Commissions like this, networking with other airports. The Young Eagles Program through the EAA Program--

I have a lot of fun with Paul about that. I say, "Because you stole it. But that is okay, we want to see you because we get free publicity every time you talk about the Young Eagles." We have a big laugh about that.

EAA, the AOPA, the EAA Chapters that are spread out throughout this State, where they actually build home-built aircraft -- kit builds, and so on -- all winter long-- Many of them, they take them out to the airport. The high school shops could build actual airplanes.

Paul Proberezny, the EAA, and eventually, the tech inspectors would come into the high schools and teach them how to do that. Every school there, we'll teach them how to develop a drill team. My students would come in and teach the youngsters -- a cadre, a group of youngsters -- how to develop that drill team.

Then, we would monitor. Let the people run it. In that community, let them run the program, but we would monitor every four, five, three months, or so and come in to see how you're doing. We would go to work and make sure that we are gearing the program for success and not failure. So we start out with the right type of personnel and committed people in the area of leadership.

MR. McNAMARA: Thank you.

Ms. Nagle, do you have any questions? Mr. Engle? (no response)

Mr. Yudin?

MR. YUDIN: Nothing is happening. Am I on? (referring to microphone)

REVEREND WHITE: Yes. Oh--

MR. McNAMARA: Harry, are you reading Mr. Yudin?

HEARING REPORTER: Yes, sir, I am.

Mr. Yudin, push that button down until a red light comes on.  
(referring to microphone)

MR. YUDIN: It doesn't come on.

HEARING REPORTER: Mr. Chairman, would you clear your  
mike by hitting that--

MR. McNAMARA: Oh, I'm sorry. My pad hit the--

MR. YUDIN: See, blame him. (laughter)

Now, it's on. Thank you.

Thank you, Mr. Chairman.

MR. McNAMARA: Sorry. I didn't know I had done it.

MR. YUDIN: I do have a question.

REVEREND WHITE: Yes.

MR. YUDIN: First, 501 Main Street, Yudin's Paint Store?

REVEREND WHITE: Yes. Yes, indeed.

MR. YUDIN: That was my late uncle, my aunt, who is still alive,  
and my dad, who just recently passed away.

REVEREND WHITE: And you know he gave me a key to making a fortune I didn't take.

MR. YUDIN: My uncle?

REVEREND WHITE: Yes, sir. He said--

MR. YUDIN: Jerry Tilton.

REVEREND WHITE: He said, "Open up a bagel store right there at the bus stop," he said, "and, Russ, you'll make a fortune." (laughter) And he was right.

MR. YUDIN: What was it, the Ormond Theater or the Oratany Theater (phonetic spelling)?

REVEREND WHITE: The Ormond, yes.

MR. YUDIN: Yes, I used to take a lot of dates there many years ago.

REVEREND WHITE: He was well known and loved by that entire community.

MR. YUDIN: Now that we're not recollecting any more--

You are to be congratulated for what you have done. You certainly have shown immense courage, aforethought, integrity, and everything else. Too bad there aren't a lot more like you, but you certainly are making a difference.

The question I have is: You seem to parallel your program to some extent to the Civil Air Patrol. Now, I haven't been involved in the Civil Air Patrol in a long time. As a youth, I spent eight years in it. I went on to become a naval flier.

Is the Civil Air Patrol still out there? Do you do any parallel programming with them? Because it seems to me that you do have to spend a certain amount of your time raising money. As I recall, in the Civil Air Patrol, since it was an auxiliary of the Air Force, there was some support there for fuel, aircraft, and things of that nature. Is that any kind of a viable help to you in your programming?

REVEREND WHITE: What we have is a flight school where we give the youngsters an actual opportunity to get their -- go to solo and licensure. They are flying full-time. Our planes are flying after school.

The Civil Air Patrol is an alternative. Now, I remember when Ri Nakamura and the folks came up to us when we were at the Bethel Baptist Church, when we were serving in the basement there, teaching our students. A group from Clifton came in. I asked them, "Well, do you instruct students in the area of aviation?" They said, "No. They are for the support of the pilots who fly for the search and rescue missions."

I said, "Well, our task is to, at 15--" We orient the students from 11, 12, and 13, but at 15 we really get into the aircraft. Prior to that is orientation, but at 15 they study and we teach to the FAA written exam. Then, they take that exam and pass it, usually in the high 80s and high 90s. Then, from there to solo. Then, cross-country.

Dr. Garafolo, you might know him, he is our flight surgeon. He was on the championship fencing team for Bloomfield. We both were on that same team. He is now our flight surgeon out of West Essex -- West Caldwell.

Then, they go on to get their license.

MR. YUDIN: Well, let me--

REVEREND WHITE: But the Civil Air Patrol didn't do that.

MR. YUDIN: Well, the Civil Air Patrol does not give flight instruction. That is correct.

REVEREND WHITE: Right.

MR. YUDIN: But they have, as I recall, very extensive ground schools and a number of other areas -- drill team-- But the ground school instruction was very, very extensive, and it just seems to me that, perhaps, there might be some things, some support, that you could pull out of them to benefit your program.

REVEREND WHITE: Right.

MR. YUDIN: That would also, at the same time, help defray some of your expenses. I mean, if you can pull out of them extensive ground school training where it wouldn't cost you anything, or a minimal amount, maybe that is something that you should, at least, touch base with them on and see if there is some way that what they're doing can also be of assistance to your program.

REVEREND WHITE: Right. I love the idea of networking. I have found that so very important. When they came to us before, what they wanted me to do was to relinquish the command of Eagle Flight. They would then take over Eagle Flight while they were training me.

MR. YUDIN: Well, that is not feasible, because you're doing--

REVEREND WHITE: That's right. It is a different kind of thing.

MR. YUDIN: You are giving instruction for eventually certification of licensing. But the ground school, the drill team, all of that is very similar, also, to what the Civil Air Patrol does, and maybe there is some

consolidation and cooperation that could take place that would be beneficial for both organizations.

REVEREND WHITE: Exactly.

MR. YUDIN: That would be something that you would have to look into.

REVEREND WHITE: Sure. Well, I would be very happy to meet with the officials of the chapters that we have here in the State to do that.

MR. YUDIN: It's just a thought.

REVEREND WHITE: What we're trying to do is reach every young person who has that glint in their eye and they say, "I want to learn how to fly."

Now, somebody out there at Teterboro, many, many years ago -- and I won't mention how many -- when my father took me out there, and I said, "Gee, I want to learn how to fly," he said, "You do?" I said, "Yes." We went out to Teterboro, and that is where I began.

If it hadn't been for those instructors and the people who owned the flight school and the people who said, "Russ, you want to go for a ride?"-- Well, I just loved jumping into an airplane. I don't do that anymore. When someone says, "Come on, let's go for a ride," well, I want to do some background checks, because I was in a-- What is the aircraft with the little twin tail, you know?

MR. McNAMARA: The Aircoupe?

REVEREND WHITE: The Aircoupe.

Out at Hanover Airport, a fellow said, "Come, Russ, let's go for a ride." I said, "Okay." and I said, "How is this guy, can he fly?" They said,

“Sure, Russ, he is pretty good.” I said, “Okay,” and I jumped in the airplane. Well, about 35 or 40 feet off the ground we lost it coming in on the landing. I saw the ground coming, nothing I could do with it to stall it, and boom, we busted the nose gear. He blamed it on the instruments. As I walked into the flight shack I said, “I thought you guys told me he could fly.” They looked at the ceiling. Well, I don’t jump into airplanes anymore like that. I want to make sure that people I fly with know what they are doing.

But I will work very closely with the folks, if we possibly can work something out.

We are authorized to wear the Air Force Academy uniform, as a result of General Ken Tallman’s tenure as a Commandant of the Air Force Academy. I was out there on a VIP tour. At that time, we spoke about the fact that they were taking the uniforms and putting them in the shredder, then, taking the shreds and giving them to the Salvation Army.

I said, “Well, how about 501(c)(3) nonprofit programs? How come we can’t get those uniforms?” You have to be very careful about what you ask for, because my basement turned into an instant warehouse. (laughter) The sad part about it was the tractor trailer only did tailgate service. In other words, he dropped on the curb, “Sign here, we’ll see you,” and he took off. We were carrying uniforms into the basement for quite some time. So now we are wearing the Air Force Academy uniforms. Those on flight status wear the Nomex flight suits with their name tags. They have their solo wings and, then, from there to their private pilot wings. It is fun. But we would like to share that with our people.

Yes.

MR. ELLIOTT: Rev, I would like to explore a little more the efforts to replicate your program. In view of the incredible success you have had, and you have had quite a fair amount of publicity, I'm rather surprised that the program hasn't been contagious and hasn't caught on in many places. I wonder, have you invited people from other urban centers right here in New Jersey, like Trenton, Camden, or Atlantic City, to your facility to see what you're doing? Have you had any response or have you had any inquiries from people about your program?

REVEREND WHITE: For years, yes. For years, Brother Elliott, I have been writing letters to boards of education. We have invited people from all around this State. It hasn't been until in the last two years that it seems to be an idea whose time has come.

We are now getting inquiries from the school districts, especially the public schools, about our helping them with this kind of thing. East Orange was the first one to really buy into it 100 percent, and they are ready to go now. We have submitted a curriculum to them, and they are implementing that. You have to have a visionary superintendent. We have to have visionary principals, and, of course, we must sell the idea by way of press.

The media can be a big help in this kind of thing. If we can get the marketing out right and do it properly-- We have the brochures. We want to do a more in-depth type of brochure in color and get that out, so we can move into the rest of the State. The key is getting the folks on that end who can get us in there and people who are interested in aviation. We can come in and show them how to do this, have them know what the budget is going to be, do all the things that are necessary so that this program can be replicated.

I wish we could get the people who write for the newspapers down in Camden to get up here, perhaps, and see the kids at the airport, the real operation, not only the classrooms, the drilling, but the real operation out there at the airport, to see the youngsters fly the airplane themselves: 16, alone, solo. That is the thing that is going to help.

Those who have been flying who can remember their first solo -- I can remember mine when my seat slid back on takeoff on the first-- The Cessna was famous for that. So now we have locks on all of our tracks.

But if we can get the kind of media attention paid -- proper attention -- not for Russ White, but the kind of media that says, "We have a program that can help those young people who want to fly even if they don't fly. We want them to become successful." We can do that. We'll get the school systems, the teachers involved, the curriculum involved, and they can handle the teaching and running it themselves once we get in there. We'll serve as consultants to help. It won't be hurtful to them either. I want to see young people fly.

I had a dream one day; I wanted to learn how to fly. Someone said, "Okay, come on and get in the airplane. Let's go." I want that to happen-- I want every youngster across this State to have that same kind of feeling I had. It's just a dream, a vision, but somehow with your help and others -- just being here today is quite an honor, to sit and share with you some of the things that we feel and see--

But we have had people making inquiries, but we haven't had any serious-- The folks weren't serious about our really coming in. "We'll get back to you, Rev," and that is as far as it has gone.

MR. ELLIOTT: You said that East Orange showed a real interest.

REVEREND WHITE: Oh, yes.

MR. ELLIOTT: But that is your home base. A city like Camden could use a program like yours, I'm sure.

Have you not been able to touch a raw nerve to inspire somebody in the City of Camden to see what you're doing and to have an interest in trying to duplicate what you're doing?

REVEREND WHITE: Well, right now, we go just a little beyond Camden, and we find that the folks in Washington, D.C. want us to come to Washington to set up a program. The National Association of the Self Employed, the President of their Board of Directors, Bennie Thayer -- well known in that area -- they want us to come down and do that. Now, they, too, recently have shown a very serious streak in regard to our program.

Camden, I would love to go down and work down there. In fact, we went down to their high school -- Wilson High School, is it, in Camden?-- Anyway, we went down there to speak to those young folks, and they said that they were interested. They wanted us to come down to assist them, but I never heard anymore from them.

I don't have a contact such as I could call the Superintendent, but he doesn't know who I am. I would have to be introduced to someone who would say, "Okay. We want to set up a meeting where a group of folks would come. Rev, speak to the people." We would be very happy to do that.

I am pretty sure that once we start talking to them-- We have the CBS tapes. We have a tape from *Christian Lifestyle*. Now, this tape (indicating) I had hoped to show today, but I didn't see a VCR. This tape was done on

*Christian Lifestyle Magazine* on Channel 4, I think it was. They were from Canada. This has played across the nation. This tape has played across the nation about what we do, almost like a promo. Beautifully done--

MR. McNAMARA: If you have a copy of that tape, Reverend, we would be happy to include that in our record.

REVEREND WHITE: I certainly will get a copy for you.

But back to Camden, to Trenton, and places like that. If I can find the persons--

MR. ELLIOTT: Well, I have a suggestion.

REVEREND WHITE: --who could be a real line--

MR. ELLIOTT: I have a suggestion. Why don't you have the Superintendent of the East Orange school system call the Superintendent of these various school systems: Camden, Paterson, Trenton. There is your contact.

REVEREND WHITE: We'll do that.

MS. PICKRAUM: Once we get that model into place we're going to invite them.

REVEREND WHITE: Yes.

MR. McNAMARA: Let me just ask one--

MR. ELLIOTT: Just use the Superintendent.

MR. McNAMARA: Let me just ask one final--

REVEREND WHITE: Dr. Howard, yes.

MR. McNAMARA: Is that about it, Jack?

MR. ELLIOTT: Yes. Well, I was just thinking, I don't know if it is feasible, but it would seem to me that to spread this idea that you really

would need somebody to devote full-time to it. If you had such a person, it could become not just a statewide program, but a nationwide program. But you couldn't do it yourself with as much else that you do. Someone would have to be assigned to do that job specifically.

REVEREND WHITE: Right.

We have two people who we have been looking at. In fact, we have been working on this whole concept, now that we realize, after 21 years-- We're in a position now, where before it was rather difficult -- the logistics and everything else that was involved -- getting the moneys to keep those airplanes flying, and so forth, the administrative work, keeping that office open-- We now have our full-time secretary in the office, that is open.

But what we want to do now is to get busy and talk to these folks. The model is in place. We just have to talk to the people. We have the proposals. We have the business plan laid out, the budget structure, the things that people need to know, and then, of course, the blocks of time for teaching and training. We can do that.

MR. McNAMARA: Reverend, I have one final question I would like to ask.

REVEREND WHITE: Yes.

MR. McNAMARA: The State of New Jersey has lost, on the average, one airport a year for the last 50 years. If the trend continues -- and the next three airports to close are Essex County, Teterboro, Morristown -- what happens to your program?

REVEREND WHITE: We'll have to go to Lincoln Park and hang on there until they close. Then, move to the next airport until they close, and

eventually, if we don't have a place for our airplanes to be tied down, then, we probably would have to go to maybe New York or up north, North Jersey, up in Sussex County, but then, that is a real stretch.

If those three airports close, the young people in our urban centers and in our suburban communities would not have an opportunity to learn how to fly. Those men who are building the home-builts in their garages, and so forth, they will not have a place to do the taxi testing, the flight testing, the adjustments so they can fly into the air shows at Reading, Sullivan County, and the EAA. The chapters would fold, also, because there would be no place for them to fly from.

So our young people would really suffer, especially those who are coming up at this time in the junior high schools, who are, eventually, going to go to work for NASA. They have to know how to fly. If we wait until they're 18, many times by the time they get their hours and time built up, with figuring out the cost, they're almost too old. So we have to start them young. You have to have them in the cockpits of our airliners at 22, 23, or 24.

MR. McNAMARA: Thank you. Thank you very much for coming. I thank all four of you. We have enjoyed very much hearing your testimony. We certainly appreciate you coming down and taking the time to come down here and give it us.

I know that it is premature for me, as Chairman, to suggest that this Commission has reached any conclusions, but I, personally, have reached a conclusion, Reverend, that you are anything but broke. (laughter)

REVEREND WHITE: I understand. I understand what you're saying.

Thank you so much. I do hope that some of what we said today will give you some insight as to the value of aviation in our State, the value to our young people, to our youth across the State, and to all of the other agencies who are doing the best they can. Because in this day and time, our kids need everything they can get not only in the urban centers, but in the suburban communities as well, because those things we call crimes, they don't care where you live or who you are, they will affect us.

I don't want to see the greatest, the biggest industry now that is looming on the horizon, which is the prison industry-- We can cut them off at the pass by making sure we use our aviation.

Incidentally, the Sea Eagle Program, you'll hear about that soon-- We're surrounded by water. I have a 28-foot boat in the water getting ready to start developing candidates for the Naval Academy, the Merchant Marine, and so forth. We call that the Sea Eagle. So we have a boat, utilizing the water, and we get boats donated at the end of the year from the different marinas.

So these are the kinds of things that we do. If I know how to spell cat, my task is to find that youngster, wherever I may find him, who cannot spell cat. My task is to teach him how to spell cat and, then, put him in charge with a title and say, "You are the cat teacher. Go get another one and teach that one how to spell," and so on. So we have peer teaching. Let the peers teach their own.

Thank you very much.

MR. McNAMARA: Well, it's wonderful.

Thank you, sir.

Is Mr. Kevin Kelly here?

**KEVIN D. KELLY, ESQ.:** (from audience) Yes, sir.

MR. McNAMARA: Would you come up, please? If you have people with you, bring them up, too.

REVEREND WHITE: (off microphone) I want to give this to you. (witness delivers appendix material to Chairman) I want you to read that. (indicating)

MR. McNAMARA: Okay. I will.

REVEREND WHITE: It is our story and all the research we have done-- (indiscernible) So enjoy it.

MR. McNAMARA: Great. Thank you very much.

I look forward to seeing you again.

For the record, Reverend White has delivered *Look Up And Be Looked Up To...*, a document entitled-- He has delivered to me a document entitled *Look Up And Be Looked Up To...*, Eagle Flight Squadron Inc. He says it is a record of the history and achievements of Eagle Flight. We receive this into our record as an exhibit of Reverend White -- appended to Reverend White's testimony.

Mr. Kelly, thank you for your patience. You are here representing Green Township?

MR. KELLY: Yes, sir, I am. If I could introduce myself? I was hoping to get in before the lunch break ended.

My name is Kevin Kelly, as you indicated. I am an attorney with the firm of Kelly, Gaus, and Holub in Newton, which is in Sussex County. I am here on behalf of the Green Township Committee.

I want to introduce to you someone I have known for a long time, a colleague and a friend, his name is Jack Prather. He is here, interestingly enough, representing-- He is not here with me in this sense. He is representing Trinca Airport. He is their Public Relations Director and Advisor. I knew Jack was coming today. I am certainly glad he is sitting here with me if there are any questions for him.

Now, I wanted to indicate--

MR. McNAMARA: Now, could Mr. -- is it Prather? (indicating pronunciation)

**JACK PRATHER:** Correct.

MR. McNAMARA: P-R-A-T-H-E-R?

MR. PRATHER: That is right.

MR. McNAMARA: Good.

Thank you.

MR. KELLY: Mr. Chairman and Commissioners, I wanted to indicate to you that we had submitted, at your request, our written responses to your questionnaire back in March. We had been scheduled to be here a time or two or three, and for whatever reason, we were rescheduled. So having made a written submission, which I believe you have-- If you don't, I have copies for you. I would be happy to respond to any questions or anything you have in particular.

May I be seated?

MR. McNAMARA: Yes, if you would, please.

MR. KELLY: Thank you.

MR. McNAMARA: Then, we will receive you both simultaneously. I would like to ask you both if the testimony you are about to give this Commission -- if you swear that the testimony is true according to the laws of perjury of the State of New Jersey?

MR. PRATHER: I do.

MR. McNAMARA: Mr. Kelly, I understand that you are here representing, as legal counsel, Green Township?

MR. KELLY: Yes, I am, Mr. Chairman. I was appointed Special Counsel by the governing body in January of this year and, since that time, have been helping them with regard to issues concerning Trinca Airport. There really aren't that many issues that we have on the table right now, but I am here in that capacity.

At different times, depending on when we might have been scheduled to come here, different people might have come here. It just happened that I was more available today than anyone else. Our mayor was going to come by himself last time -- different representatives. It just depends. You know, it's a part-time governing body way up in Sussex County, so it was a scheduling issue more than anything else.

MR. McNAMARA: Before we go on, let me just go off the record for a minute here.

MR. KELLY: Sure.

HEARING REPORTER: Excuse me, Mr. Chairman, do you wish me to turn off the recording device?

MR. McNAMARA: Yes, if you would, Harry. (Hearing Reporter complies)

**(RECESS)**

**AFTER RECESS:**

MR. McNAMARA: Okay. We're back on the record having made arrangements for our lunch. We had a break to work that out.

Mr. Kelly, I'm sorry to interrupt.

MR. KELLY: No, that is fine, Mr. Chairman.

All I wanted to indicate is just to make sure that you had our written submission and that I was available to answer any questions.

MR. McNAMARA: Do you have a copy of that with you?

MR. KELLY: Sure.

MR. McNAMARA: Mr. Engle has received all of our copies and is collating them in his office, so it would be helpful if you could distribute copies if you have them. (witness complies)

MR. KELLY: (off microphone) What I am giving you is my cover letter of March 20 and the actual responses that were attached.

MR. McNAMARA: Have we not had somebody come before us already from Trinca?

MR. ELLIOTT: Yes, we had Alex Davidson. Alex Davidson of Trinca Airport.

MR. McNAMARA: Right.

MR. ELLIOTT: Way back.

MS. NAGLE: Right, when we first started.

MR. McNAMARA: Mr. Prather, may I ask you, what is your relationship to Alex Davidson?

MR. PRATHER: Okay. Let me make it clear that I came today as an observer, and through Mr. Kelly's courtesy, I am perfectly happy to participate and testify.

I am a consultant with the airport. I have been for about a year. I have been handling their communications, their work with the community, with the newspapers, and the elected and appointed officials.

MR. McNAMARA: Thank you. Mr. Davidson is still the owner of the airport?

MR. PRATHER: Alex Davidson and Francis Davidson are the co-owners of Aerotranquility, that is correct.

MR. McNAMARA: Okay.

Mr. Kelly, do you want to make any initial comments before we ask you questions on the questionnaire?

MR. KELLY: You know what? I'd rather save-- I have a comment or two that I would like to make.

MR. McNAMARA: Why don't you make them now?

MR. KELLY: Okay.

MR. McNAMARA: And we'll just abide by that. Then, if we have any questions after that, we'll ask you.

MR. KELLY: Sure.

One of the interesting things that happened to me having been relatively recently involved in this process-- And I want you to know, I represent, essentially, an equal balance of municipal clients and private clients,

so I think I have some perspective that is relatively balanced, for lack of a better word.

When I got into this process, one of the things that has been so difficult to find out and to understand is -- and I have talked to a lot of my colleagues about this -- exactly what the appropriate municipal response ought to be and what the particular role of the municipality should be.

I understand from living in my small area that it is perceived that the town that I represent is opposed to this airport in some general way. But opposed to what and in response to what is something that I have yet to understand in all of these months.

The attorney who represents the Trinca facility and myself are working on these issues together, as is Mr. Prather. We're trying to see exactly what it is that you would a municipality to do. What is our role in this process? Is there a role, really, for a municipality to play?

I have followed with very much interest the *Princeton Montgomery* case, and I have spoken to the attorneys there. I know that resulted in almost a decade of litigation and cost hundreds of thousands of dollars on both sides to no apparent -- no real victory or defeat for either side. It was something that was supposed to-- It was going to go forward in a process and it did. I noticed the Commissioner's name. I know the name Solberg from an airport that is undergoing some type of process now. But the process seems to me to entail a lot of people yelling and screaming at one another over no real substance that I can exactly determine.

So I have read, of course, the law. I have talked to lots of people. I have a case pending in the Superior Court of New Jersey right now on behalf

of a private individual by the name of Bill Tanis in Hampton Township, who is challenging his denial of a license in Hampton.

My point is this, the rules could be clearer. It could be easier for people to go through this process. It could be a better defined process. Even NJDOT only says-- Well, the Supreme Court case, the *Garden State* case in 1978 says we have to give some input to local concern or local consideration. Well, what does that mean, and what are we going to do and how are we going to do it?

There are real rules before planning boards and zoning boards, for example, real application processes that we all understand. I don't see it here. I could be mistaken. I could be still in the beginning of this. But I think that is one thing you might be able to focus on as you go through this. Do you want zoning to be an issue in this? Is it totally preemptive now? If so, just-- It would good for towns to know that, then, don't get involved in that.

If there really isn't anything for the town to do, and there really is a preemption issue to be had here, then, like in other cases, like landfills, for example, or interstates or whatever, make it clear to the towns what you want them to do and what you don't. It would be much easier, much less expensive, and much less difficult for everybody involved if we really knew what was to happen here.

So if I could make that point, it is worth--

MR. McNAMARA: That is a very good point. This is a very provocative point. What you're saying is, as an attorney has to resolve differences between clients-- We all know how the process works: Two people, two entities have a disagreement, and two attorneys, one representing each, get

together to resolve it. What you're saying is that when you get together to resolve it, you're not quite sure what you're getting together to resolve.

MR. KELLY: And whether or not we are all the people we need to resolve it in the first place. There seems to be another player, the DOT, who-- I've written to them, as you will see, since--

The first thing I did was write a letter to Mr. Emmet O'Hare in January. I have copies of those things that I sent to Mr. Engle. I said, "Could you tell us where we are in this so that we can have some idea of what we ought to do?" Because I really--

Again, where I live and where I work, I think life makes sense. We can sit down and figure out what it is that we need to fight about, if indeed we do, and what we shouldn't fight about. I don't want to spend my client's time and money in this long public pursuit in something that is ascertainable at the beginning if we can do that.

So I have had a very difficult time, I have to tell you, getting just an answer from the DOT of "Where are we in this process? What is it that you want us to do? Is there a plan for us to review?" We'll hire the experts. We'll do what we need to do. We'll look at it, and then, we'll give you an answer. It may be a good answer for you, it may not be a good answer for you, but we'll do it. We're prepared to engage in the process.

MR. McNAMARA: Now, let me explain our purpose. We are not affiliated with the DOT. We have an ex officio member of DOT who is assigned to this Commission, who is Jack Penn. He is, of course, the Director of the Division of Aeronautics.

We are a legislative creature. This Commission was created by legislation. We are conducting a study for the Legislature. The members of the Commission are appointed: four by the President of the Senate, four by the Speaker of the Assembly, and five by the Governor. Three are statutory. Our purpose is only to study various problems affecting aviation in the State of New Jersey.

So when you come to us and tell us that you have that problem, that is something we want to hear. We can't answer the question for you, but we, certainly, want to hear it. Because, frankly, the matter of what the problem is between the airport and the community has been, from my point of view, the very hardest one to study -- the very hardest matter to study that this Commission has had to study. We find it very difficult to get testimony that sheds light. We get plenty of heat, but no light.

No matter what you tell us today about your particular town or your particular airport, we're not an agency that solves that problem. All we do is try to listen to your testimony, collate it with similar testimony from other townships and other airports, and try to report to the Legislature the nature of the problem.

We would really appreciate your off-the-cuff analysis of what the problem would be between your airport and your Township.

MR. KELLY: Okay. Well, I'll give you one quick other thing.

I just know that I do not want to repeat for Green Township, if I can avoid it, what occurred in Princeton and Montgomery. Again, underline if I can avoid it. I have researched that case, talked to those people. There is

no reason for any town to do that again. There is just not. It is senseless in terms of the expenditure of time and money.

Now, in terms of Trinca and Green Township, I think you could learn something from that that would be helpful to you. That is, don't-- Again, it is a how-not-to type of story. It seems, from what I have been able to understand, this concept of in some way expanding Trinca Airport is something that originated in the late 1980s and has been sort of floating out there ever since that time.

The last real-- There have been some interim reports -- I understand them to be interim -- and studies that have been done. The last real one that I have is from 1992. The last TAC meeting in our county, I understand, took place in 1993.

MR. McNAMARA: TAC is a Technical--

MR. KELLY: Technical Advisory Committee, I believe is the exact phrase.

What is happening--

MR. McNAMARA: That was in, you said, 1992?

MR. KELLY: In 1993.

MR. McNAMARA: It's '93, okay.

MR. KELLY: Right. As I said to you, in January and on subsequent occasions, I have written to the DOT, and I have asked them if they could provide me with any-- "Just tell me where we're at. Send me a letter. Two sentences. 'We're not ready. We are ready. We're going to do this.' Just tell me so that we can get some idea of what it is we need to do, and let's agree on what we need to do next. Do we need to review a report? If we

do, fine. Do we need to have a hearing? If we do, fine. Do we need to meet ourselves? Fine. Anything you want to do. Just let's do something rather than have people throwing stones at one another in various public--"

Fortunately, they have somebody like Jack with them. But whether they do or whether they don't, the process shouldn't go that way, I don't think. It doesn't do anything for anybody except get people annoyed and add heat, as you put it, but not any light.

So I think that has been our experience. We are waiting, really, now. We're just waiting for someone to give us something to review.

MR. McNAMARA: Give us something--

MR. KELLY: Yes.

MR. McNAMARA: Okay.

MR. KELLY: Give us a plan, and we will respond to it.

MR. McNAMARA: Noise is perceived to be an airport problem. Is that a problem in Green Township?

MR. KELLY: Well, it's not now. Now, there is a 1925-foot, approximately, single turf runway that is just a country airport -- in its most basic terms -- and it doesn't bother anyone, really. It doesn't cause anyone any problems. So noise is not an issue.

MR. McNAMARA: Is it perceived that if-- Does Trinca have a proposal for extending the runway or adding additional runways, Mr. Prather?

MR. PRATHER: At this point, Trinca has completed or the State has completed two Master Plan studies. *Interim Report Number II* was submitted--

MR. McNAMARA: These are done under the FAA/AIP Program?

MR. PRATHER: Yes.

MR. McNAMARA: Okay.

MR. PRATHER: And we have completed an economic impact study. What we have done now is, we're trying to arrange a TAC meeting and a public meeting for informational purposes. In conjunction with that, we're trying to sit down with the Green Township fathers and mothers to get them up to speed on what we are proposing and what we hope to do, so that we can work it out together. That seems to have some new life, thanks to Kevin's involvement -- Mr. Kelly's involvement.

The process was delayed because of the heat that you talked about. There is a citizens' group that was formed, and for over the year that I have been involved in the project, they have been saying, publicly, through their communications and their letters to the editor, that Trinca will be housing 727s. Well, they--

MR. McNAMARA: Mr. Prather, let me interrupt for just a second. All I wanted to know is, is there a proposal afoot for extending the runway at Trinca?

MR. PRATHER: Very quickly, just let me finish the thought and the reasons for it. We had been postponing these meetings because of the heat, because it was a bad environment to sit down and talk about the actual plans. We are prepared to sit down within the next short period of time, yes, and propose a plan.

MR. McNAMARA: Okay.

MR. PRATHER: We're working on it now.

MR. McNAMARA: And of course Trinca -- I mean, Green Township, Mr. Kelly, is aware of that and is concerned that that plan be nipped in the bud? Is that the idea?

MR. KELLY: You mean, are we opposed to it?

MR. McNAMARA: Yes.

MR. KELLY: No.

MR. McNAMARA: You're not opposed to the extension?

MR. KELLY: Well, I don't-- I haven't-- We would like to see it, and then, we would like to have some expertise. I don't speak the language well enough to tell you-- Well, as well as anybody in this room, I don't speak the language. So we would need to have some people review it. If noise is an issue, I assume some expert would tell us that. If noise is not an issue, I assume an expert would tell us that. We have gone so far as to have some people ready to review any plan that we get.

See, I look at this, really, analogous to a planning or a zoning board case. In other words, if you have something specific, come in, put the application in front of us, let us review it, and we'll give you a decision about it based upon certain parameters that we all know about. That is where I draw my analogies from. So I see this process as going along that way.

MR. McNAMARA: You're familiar with what is now called the Safety Zoning Act?

MR. KELLY: Correct.

MR. McNAMARA: Airport Safety Zoning Act. It was originally called the Airport Hazard and Safety Zoning Act of 1983.

MR. KELLY: Correct.

MR. McNAMARA: In respect of that Act, you don't-- Are you saying-- In light of that Act, you're saying that you don't see an airport's application to extend its runway as a zoning issue, it is a different type of an issue?

MR. KELLY: I have, primarily, seen this as a licensing issue, a DOT process, and, maybe, an Administrative Law process much, much more than I saw it as a zoning matter. I'll tell you why. It appears -- and I've read a lot of stuff that people like Bill Cox, Sanford Churnin, and Mr. Herald or Haines, and different people like that have done--

It seems to me -- in the Institute of Municipal Attorneys -- that in 1993, any doubt about preemption with regard to zoning was taken care of in the regulations to the Title 54 and, you know, prohibitive uses and all. You all are familiar with that. It just seems to me that that was the case, and most attorneys seem to agree with that -- most people I have spoken to -- including--

Now, I know that this is pending in front of the Appellate Division still in *Princeton and Montgomery*. Now, they may settle any day, too, so maybe that will become a moot point. But this just never really seemed to me to be a zoning focus here. It seemed to be a licensing case.

MR. McNAMARA: Which would be a DOT matter?

MR. KELLY: Exactly. See, I thought-- Again, I thought there were four parties to this. I thought at least four parties. There was the public. Any groups within the public that may be organized in opposition to this, two. Three, the airport owners. Four, the DOT. Five, the governing body in the town. Those are all very distinct entities in my mind, but they're all players.

If you can find your way clear in your report to better define any of those positions, I think the better off everyone will be. There is just no point wasting a lot of time here. If indeed, again, it is a preemption case, just tell us, and we won't waste our time on it.

MR. McNAMARA: I couldn't agree with what you're saying more. I think that it is in the nature of good fences making good neighbors, or big fences making good neighbors. How would you define it? If you were the entire Legislature all put together, how would you like to see it defined? You have identified five entities: The township, the airport owner, the public, the DOT, and I have lost one.

MR. KELLY: Any citizens' groups within the public. Mr. Prather identified one in this case. There is a citizens' group that is opposed to whatever it is they perceive to be going on.

MR. McNAMARA: Okay. So citizens' groups and public would be separate, because--

MR. KELLY: The public is not the citizens' group and the citizens' group is not the whole public.

MR. McNAMARA: Right.

MR. KELLY: There are people, I think, who support aviation in our area. I represent somebody who does, Mr. Tanis, as I explained to you.

I have a pending case for him, incidently, in which the preemption issue is before Judge Stanton in Morristown. I hope to get a decision about that. Believe it or not, that is a litigated -- that is an open question. This town in Hampton Township tried to control, to deny my client's license for a private airstrip based upon zoning. They said, "It's not an accessory. It's not a

permitted use, and he is not a nonconforming use.” They denied his application.

The DOT has suspended ruling on the application pending our going through the municipal process. When the town said no on zoning and gave us-- The Zoning Board denied our application. We have a prerogative writ in front of Judge Stanton. Mr. Maupin of DOT asked me about-- They are very interested in this case, I take it, because Judge Stanton’s opinion is respected throughout the State, and what he does is of interest to them. They have asked me to send -- DOT did -- and I sent that suit down. It is a pending case. It will be decided some time this year.

MR. McNAMARA: Are they going to file amicus brief?

MR. KELLY: That is what they want to look at it to do.

I have a feeling, because the Attorney General, as you know, came into the *Princeton Montgomery* case on that issue. In the early '90s, though, before 1993 amendment to the regs-- See, my case is, I’m starting to think, is a different case than the *Princeton Montgomery* case, because of the '93 change in the regs.

So the DAG is probably going to come into my case, from what I hear. I thought somebody from the DOT might be here to give us something new, but recently that is what I hear. They should come into the case, because that case may set-- Believe me, a decision by Judge Stanton on that issue would certainly be of value to anybody involved in this process in the State of New Jersey. There is no other answer out there that I have been able to find.

So, again, I am on both sides of this issue talking about how I think it would be helpful to the town I am litigating against if they knew what the rules are. We were in this ugly hearing for--

MR. McNAMARA: Why is there an issue? If DOT has declined pending a court decision to rule on it, why is there an issue? If DOT won't issue the license and the municipality won't approve the application, why is there any issue?

MR. KELLY: Well, you see, now, we're going the other way on what I said. Now, it seems as if the DOT is acknowledging, at least in the case I'm talking about in Hampton, that zoning is a viable municipal concern. I was very surprised. It will be interesting to see what they do here in the Hampton case that I'm talking about. That confounds what I otherwise understand to be the case, yes. It really does. I'm still working on that as the clock strikes June now. I'm still trying to figure that out.

That is, again, why I raise it as an issue. It is a very confusing issue to people.

MR. McNAMARA: Does Green Township perceive that the airport makes any substantial economic contribution to the Township?

MR. KELLY: As I indicated in my-- Right now, it does not, because:

A) it is a very small airport of limited use and,

B) because 10 acres are assessed at fair market value. The remaining 110 acres are farmland assessed. So there really isn't anything one way or the other.

Here, as a matter of fact, arguably and obviously, it would be an increased ratable if it were to get more business.

MR. McNAMARA: Now, when that application comes forward, the grounds upon which you would review it would be, simply, those of experts to whom you would refer it? The issues that would be raised are simply issues that would be raised by experts? For instance, Mr. Young, who was here this morning. I don't know if you heard--

MR. KELLY: I wrote that down, what he said, at the very end about noise. Yes. It was interesting.

MR. McNAMARA: I guess he says that that is the sole -- how did he phrase that?-- The by-product of aviation is-- The sole one, the only one that is objected to, by and large, I guess, is what he was saying--

Would Green Township be satisfied to know that the FAA has defined these average daily noise levels and that they projected an airport usage would be within those projected noise levels -- I think 65 LDN? Do you think-- Is that what Green Township would be doing, retaining an expert to determine if the airport, as projected, would be within those noise levels?

MR. KELLY: Yes.

MR. McNAMARA: That, to me, seems to be a very reasonable thing to do.

MR. KELLY: There is always time in any case to be as unreasonable as people want to be, but I don't know why you need to start there. I'm serious about that. You just don't. There seem to be reasonable people here. If we can figure out what to do mutually, then, we should do that.

If we can't, that is why they have courts. But you don't need to start that way, I don't think.

MR. McNAMARA: Mr. Yudin.

MR. YUDIN: From what I understand you're telling me, in your representation on behalf of Green Township -- not on the other case where you are on the other side of the fence, but in this case where you represent Green Township -- it is Green Township's position, through your opinion, at this point, that zoning is not the issue here, and that you don't even have authority, through your Zoning Board, to deny an application?

MR. KELLY: Given what I told you about the case pending before Judge Stanton, I can't say that. I can tell you I always saw this as a licensing case and as a DOT matter. The DOT has kind of confounded me, as I explained, by not asserting that position in this other case. Again, close the door on that if that is what you want to do. So I am confused by that.

MR. YUDIN: Okay. The group that is opposed to this expansion, which has gone active, the argument they are giving is, basically, what? Noise?

MR. KELLY: See, I don't know. I have never met them. I have never talked to them, and I don't know them. I am not interest-- I don't represent them and I don't really--

MR. YUDIN: Well, articles have appeared in the paper, I understand, letters to the editor.

MR. KELLY: Yes.

MR. YUDIN: What is their complaint? Noise? They are fearful that there will be noise?

MR. KELLY: Do you want to-- Would you mind?

I think Mr. Prather would know better than I would.

MR. YUDIN: Is it appropriate to find out what they are complaining about?

MR. McNAMARA: Just identify who you are as you switch back and forth.

MR. PRATHER: Sure. Jack Prather, representing the airport owners.

The letters to the editor have been repeating the charge that 727s, large aircraft, would be landing at Trinca and all of the allied noise problems associated with that. We have taken very diligent steps to correct that misimpression to the general public.

On Sunday, in the *New Jersey Herald*, we had editorial endorsement, per se, of an airport in Sussex County similar to what Trinca would be and putting to rest the myths that have been expounded by this group. This was in Sunday. I would be glad to give you copies and send you copies of that.

Basically, it said that the opposition has been using misinformation in their attacks. There is plenty to attack just with choices and you don't want a larger airport, but they have been resorting to bogeymen. So, hopefully, the playing field now will become what Mr. Kelly said. We'll present our best information. They will present their best information, and we can work it out.

MR. YUDIN: The expansion that you want to do, the extension of the runway, how much do you want to extend the runway?

MR. PRATHER: At this point in time, that is negotiable. We're looking at an extended runway that will house small corporate aircraft. From that, we hope to develop around the airport a business/industrial campus. That is our projected goal.

MR. YUDIN: Well, do you have an actual number in mind, as far as the runway extension is concerned?

MR. PRATHER: We do, but at this point, before negotiations, I am not at liberty to say what that is in public.

MR. YUDIN: Do you want to go to a paved runway?

MR. PRATHER: Pardon me?

MR. YUDIN: I assume you want to go to paved? You want to go from turf to paved, right?

MR. PRATHER: Yes. Yes, paved runway, right. Small corporate jets, executive travel, leisure travel, and small freight.

MR. YUDIN: Well, certainly, it seems to me that the two of you should start talking.

MR. PRATHER: We are.

MR. YUDIN: Because when you go to corporate, you're actually talking about less noise than with the typical reciprocating aircraft. So it seems to me that there is a lot that can be talked about, a lot that can be worked out, and a lot of fears that could be allayed if the two sides would start talking.

MR. PRATHER: Thank you for that comment. I appreciate that very much. That endorses what we have been saying as a fact.

MR. YUDIN: I didn't say with the intent that I'm saying one side didn't want to talk. I don't know the background, but from what I am hearing here--

MR. PRATHER: I meant about the noise factor.

MR. YUDIN: Right. But from what I'm hearing here, within the next couple of weeks, both sides should get down in the same room and talk.

MR. KELLY: But you know what? Even though-- Even if we do that though, that is only two of the five that we have identified as the players. That, in and of itself, creates a little difficulty. Just having said that though--

MR. YUDIN: The place to start is with the Township and the airport owners. Once the Township represents the public--

MR. KELLY: Well, then, you could take that as the third.

MR. YUDIN: --and the Township also represents the group that is against, that has come out and said--

MR. KELLY: No, it does not. No, sir. It does not.

MR. YUDIN: Well, aren't these voters in this municipality?

MR. KELLY: Some, I assume, are. Some, I assume, are not. I told you already I don't know who they are, and I don't represent them.

MR. YUDIN: Well, I think it is reasonable to assume that any citizen who votes in this municipality is represented by the elected officials.

MR. KELLY: Yes.

MR. YUDIN: Certainly, you're going to, at some point, have public hearings on this. But, at this juncture -- the initial discussion between the two groups -- it would seem to me the elected officials, through the process of government, legitimately represent the public. Now, the public will have an

opportunity to talk and the group that is against this will have an opportunity to talk at a public hearing. But the initial negotiations between your two groups, you're representing your Township officials--

MR. KELLY: Correct.

MR. YUDIN: --and you're the one who is actually negotiating, you are representing the residents, the voters. They are the elected officials.

MR. KELLY: Yes.

MR. YUDIN: So I think, it seems to me, that a lot of this could be worked out. The next question becomes whatever you agree on, hopefully, you can sell it to the public.

MR. McNAMARA: Ms. Nagle.

MS. NAGLE: I understand that there was an economic impact study done, but the Township did not receive the-- What is the status of that?

MR. KELLY: I have, in my file, and I am not trying to be overly legal about this, a draft of a report -- a report that I understand is a draft -- from about a year ago or so. If someone tells me that the word "draft" is off of there and this is it, we'll start to review it immediately.

MS. NAGLE: Okay. I just wondered, did that address the airport, Trinca Airport, as it stands now with a 1900-foot grass runway, or does that address what its proposed upgrade will be, or did it do both?

MR. KELLY: Both.

MS. NAGLE: Both.

MR. KELLY: And different things in between, as I recall, as well.

MS. NAGLE: Okay. Different stages of upgrades?

MR. KELLY: Yes, I believe so.

MS. NAGLE: How was that received by the Township Committee? Were they--

MR. KELLY: Quite frankly, I'm not sure they knew what to do with it. I mean, it was read and put in a file, which is essentially what I did with it. If one of the things in that report--

If someone says, in other words, "Look, we want to expand our runway X-number of feet," then, we'll do that, and we'll review that economic-- I don't, by the way of my own knowledge, quarrel with the economic opportunities that would occur that way. I don't think that is very mysterious or debatable.

MS. NAGLE: Does Trinca Township (*sic*) welcome industrial development?

MR. KELLY: I'm not-- I don't believe so. Trinca is a very small--

MS. NAGLE: How many square miles is Green Township?

MR. KELLY: It is 20-some, with maybe 4000 or 5000 people in it, very small, large-lot, rural area. No major businesses to speak of. Its main benefit in all of this, I see, is being very close to Route 80. But no industry, no-- It is something the town's Master Plan has not really called for either. I know, of my own knowledge, in Sussex County, Green Township is not one of the towns looking to really develop itself very much. I know that. That may be an issue in this case sometime.

MS. NAGLE: Are there efforts on behalf of Green Township to purchase property and keep it as Green Acres?

MR. KELLY: In general?

MS. NAGLE: Well, I mean, do the taxpayers agree to pay so much in property taxes with the understanding that eventually more and more land will be kept in Green Acres?

MR. KELLY: I'm sorry. I don't know the answer to that.

MS. NAGLE: Getting back to what Mr. Yudin was addressing, and maybe you can't answer this: When the Township meets with-- You mentioned that there are four or five different entities involved. When the Township gets something that doesn't have the word "draft" on it and it comes time to look at it, evaluate it, make a decision, do you feel that the Township would be able to make a decision based on what their professionals-- If they decide to get outside, professional advice to review this, that it will be based on that or based on the public's perception of what this would be -- what impact it might have on their homes?

Because, as the gentleman who was here this morning said, there are two different things: one is factual, and one that is perceived.

MR. KELLY: Yes, having been at some of these hearings with this other case, I understand the emotional side of that, especially in Sussex County. I have lived there all my life. People really don't want anything there.

I represented the minor league baseball team that went up there. You would think that everybody in the world wanted baseball. Well, geez, there were people who were opposed to that, that were really opposed to it, and fought like hell about it. All the lights and-- But anyway, there is that attitude up there, and that is going to come into this case no matter what happens.

But I do think that the people that I work for -- because I know some of them and some of them are builders-- Three of the people are involved in building houses, construction business, they're--

MS. NAGLE: How do the builders perceive Trinca's proposed upgrade to affect them?

MR. KELLY: Well, I think they're rational businesspeople. I think they're looking to--

MS. NAGLE: So they don't feel that is an adverse impact?

MR. KELLY: Not necessarily. They need to know what the rules are, what experts will say, and what the facts are. Then, they will come to some conclusion. I really believe that is their position.

MS. NAGLE: Are there any other municipalities besides Green Township that are involved with Trinca's proposed upgrade?

MR. KELLY: See, there are people in other towns. This is where I jumped in on the gentleman's question over here. (indicating) There are other towns that have people opposing this, that think something bad is going to happen.

MS. NAGLE: No, I mean townships themselves, like there is Green Township. I don't know what the neighboring townships are to Green Township, but whatever the neighboring municipalities-- Do you have contact -- not you, but does Green Township have contact with the other municipalities, because they feel, maybe, that you're making a decision that will affect them?

MR. KELLY: No, not really. I am unaware of any of that.

MS. NAGLE: Thank you.

MR. KELLY: You're welcome. Thank you.

MR. McNAMARA: With regard to question number two, which is: Does the airport make any aesthetic contribution to the community? -- for example, open space, Green Acres, farmlands, woodlands, wetlands, or wildlife habitat -- I assume that your answer, "No," contemplates that the airport is located already in a very rural setting. Is that correct?

MR. KELLY: Precisely. Yes.

MR. McNAMARA: So it doesn't really preserve a rural setting, because--

MR. KELLY: Right. Because it is already there.

MR. McNAMARA: It's already there.

MR. KELLY: So it is a "No, but," and a "Yes, but," answer, of course.

MR. McNAMARA: That could be different if it weren't Green Township. We've learned that could be-- An airport that does preserve those things in an urban setting does have some aesthetic--

MR. KELLY: Sure.

MR. McNAMARA: They are appreciated for some of its aesthetic contributions.

Your relationship with your community: We asked, "How would you describe the relationship of your community to your airport?" The answer is, "The relationship has declined somewhat since the announcement in 1991 that NJDOT, in conjunction with the owner, commissioned the preparation of the Trinca Airport Master Plan. To date, this plan has not been completed

and/or released, resulting in considerable public uncertainty and speculation about this process and the plans of the owners.”

Then, “How can this relationship be improved?”: “The relationship among all parties could be improved by a more defined process with specific timetables, objectives, and participation.” That is a little bit about what you were discussing earlier.

Then, “Were you invited to be a member of a community advisory committee” -- this is question nine -- “in the development of the Airport Master Plan?”: “A technical advisory committee was formed in 1993 and did conduct some initial meetings; however, this committee has not met since sometime in 1993,” as you said earlier.

That defines a communication problem, to put it simply. Would you agree with that?

MR. KELLY: Yes, sir.

MR. McNAMARA: And a great deal of the ill feeling that is developing, if I am reading the situation correctly, is developing because trust is breaking down where there is poor communication. Would you agree with that statement?

MR. KELLY: Well, not literally, because it may be that trust is building up these days. I certainly know that it has--

MR. McNAMARA: In the absence of communication, trust is building up?

MR. KELLY: No, meaning there is communication these days.

MR. McNAMARA: Okay.

MR. KELLY: We're starting to get some communication with one another, which I think is helpful.

MR. McNAMARA: What I was suggesting is that in the absence of that communication a lack of trust develops.

MR. KELLY: Yes.

MR. McNAMARA: That becomes, what? The entire problem?

MR. KELLY: I don't know yet. It could be a lot of it, though.

MR. McNAMARA: A lot of the problem.

MR. KELLY: Finding out where we are has been the most difficult thing in this process for me. That is my own opinion, as I sit here today, and having asked a lot of other people, I think they would feel the same way. But finding out where you are in the process is a difficult -- one of the more interesting cases I've ever had that way. Hopefully, I won't have another one.

MR. McNAMARA: I appreciate your distinction between the public and the citizens' groups. I guess I would add a sixth party to the melee, and that is, the neighboring township or however many of them there are. Considering all of the parties, and also considering some of the testimony that we have already received here, which is one township is not satisfied that it is receiving a fair hearing when it has to appear before the planning board or the zoning board of another township, would you think that having DOT simply sit and determine these issues of airport development would be the best way to proceed?

MR. KELLY: I have a reservation here about the DOT being the one who is a funding mechanism, is a studying mechanism, a reviewing

mechanism, and an approving mechanism, all in the same entity. That, obviously, in our business as lawyers, doesn't ring exactly true.

But, having said that, somebody has to make a decision, and if somebody is going to do it, you have to designate somebody, and who else would make more sense than them? So for precisely the reasons that you indicate, that there is more than one town always involved in this and more than one set of players, you have to have somebody make that decision. If you want to designate somebody very clearly to do that, that would make absolute sense to me.

MR. McNAMARA: Are there other questions for Mr. Kelly or for Mr. Prather?

MR. PRATHER: May I make a brief comment, before you go ahead, about the communications?

MR. McNAMARA: Let Ms. Nagle ask her question, and then, we will be pleased to receive it.

MS. NAGLE: I just wondered if there is any county economic partnership or chambers of commerce that have gotten involved to try and talk to Green Township possibly about the value of the airport?

MR. KELLY: I believe the county Chamber of Commerce, on whose Board I sit, endorsed the airport in a general way. As a matter of fact--  
That's true, right?

MR. PRATHER: Basically, right now. It's not official.

MR. KELLY: Okay. Because there was a resolution which I saw in my contacts as a Board member. So they did, and I think there is some support in the economic development community there for this idea, yes. I

think that has been communicated to the people who I work for, the five members of the governing body.

Again, I don't think that they are particularly-- They will review a plan and participate in this process. It's not like anybody is going to have to drag them to the table. We're quite willing to go there. Again, I think because the communications have gotten better in that way--

I have been in this case for a couple of months, and Jack a couple of months longer than I. They have just retained local counsel just two or three months ago, who is somebody who is good to work with. So these things are making this process go better.

If we had a little better defined set of rules, I think we could do even better still.

MR. McNAMARA: Mr. Prather.

MR. PRATHER: Very quickly, I wanted to tell you-- You mentioned communications, and we consider that to be a vital part of what we're trying to do. I just want to very quickly tell you that we mailed a newsletter to every resident of Green Township. We met with the Mayor of Green Township, the previous Mayor of Green Township, and two of the Committee people. We have sent releases to the newspaper.

We formed the Airport Development Association, which promotes the multimodel concept of railroad and air as a general transportation upgrade in the area. We have appeared before the chambers of commerce. We have met with the Economic Development Officers of Sussex County and neighboring Warren County. We have met with five or six mayors from

adjoining communities, giving all of these folks and entities the latest information as we know it, pertaining to what our plans are.

So we couldn't agree with you more that communications are important from our point.

MR. McNAMARA: Why is it that there have been no meetings since 1993? I don't ask that by way of challenging you, I just want to understand the mechanism of this process.

MR. PRATHER: When I came on board a little less than a year ago, the concerted effort to debunk and defame the airport owners was in full swing with an alleged group from Green Township that had many members.

MR. McNAMARA: This would be a citizens' group?

MR. PRATHER: Citizens Against Runway Expansion group.

MR. McNAMARA: Okay.

MR. PRATHER: So I came on board to try to get the correct story out and demystify what we were trying to do. Each time we started to make progress, there would be another headline in the paper from this group saying that we were going to bring in 727s, they had evidence of it, attacking me personally, attacking the airport owners personally. So we kept postponing it till the thing calmed down.

We are planning a TAC meeting. We are planning a public meeting. We are planning to sit down with the Township. It has only been delayed because of the extreme turmoil caused by the citizens' advisory group, which now seems to have whittled down to a very small component of people.

I can't speak for them, and I'm not trying to say anything negative. But I alluded to the editorial on Sunday, which does actually say

they have been using misinformation, which the other side of that coin, says we are not, which is the truth. So we're just trying to get to the bottom of it and move forward. There is no delaying tactic here. We want to move forward and quickly.

I hope that answers your question.

MR. McNAMARA: Let me ask a different question. If there is a failure of communication, and if, because of that failure, a large number of the citizenry become vocal in their opposition to the airport, would you say it is the airport's -- it is more an airport concern than a public concern to avoid that?

MR. PRATHER: Our concern is to negotiate like gentlemen and gentlewomen, to get the facts on the table, and to move forward with what is best for their township. We think they have a right to object to the airport as long as they are objecting to it on factual grounds.

MR. McNAMARA: I'm only talking about a failure of communication. In other words, in 1993, apparently, Green Township, or even prior to 1993 -- was it 1991? -- the original notice was published that the airport was going to expand.

MR. PRATHER: Right.

MR. McNAMARA: In 1993, a committee is formed. The Technical Advisory Committee is formed.

MR. PRATHER: Right.

MR. McNAMARA: The Committee has one or two meetings in 1993. Now, we're in 1996. During the course of this, as I understand from what you're saying, there has been some substantial, some loud opposition to

the airport expansion. Whether it represented a large number of the citizens or a small number of the citizens, they were very vocal, whoever they were.

One might assume that some of that can't be avoided no matter what you do. However, if I were concerned only to write a statute that would try to address this and I were focusing on who is more responsible or in whose interest -- who has the greater interest to serve to avoid this situation, my inclination would be to say the airport does. Therefore, it is the airport that has to keep avenues or channels of communication not just open, but flowing.

Perhaps, two meetings in five years isn't sufficient to do that. I think that not just from Mr. Kelly's testimony -- which is somewhat corroborated by your own -- but from other townships that have come before us and airports that have come before us, this is a recurring theme. When the communication breaks down the trust deteriorates.

I don't know what my hypothetical legislation would provide otherwise, but if it were going to provide some kind of notice or continuing notice, I would, at this moment, make the responsibility -- put the responsibility for that upon the airport. But I say that subject to your comments.

MR. PRATHER: Well, you're exactly right. We have been trying to remedy a very bad situation with communication, with the goal being, "Let's get to the table and get this thing accomplished." So, yes, what you are saying is correct. We're trying to make a bad situation workable. The time frame wasn't to do anything but to demystify all of this misinformation that was out there by communicating with the people who live there.

We have seen a tremendous healing process in the last year. People are coming up to us and asking to be part of this, to join our group, to speak to the elected officials, who now are wanting to talk to us. So it is getting better through communication. We're not dragging it out with communication. We're trying to focus on healing the process.

MR. McNAMARA: Okay. Thank you. Thank you very much.

I thank you both very much for taking the time to come down here.

This is a fine point that you have raised, Mr. Kelly, and I think it is a key point: having clear definition from the State about matters that are preempted and matters that are an issue. I think it is one that this Commission has to give high regard to as we make our report to the Legislature.

Thank you both very much.

MR. PRATHER: Thank you.

MR. KELLY: Thank you, and if I get any flashes of insight, I'll send them down as we go along.

MR. McNAMARA: Thank you. We would be very pleased to receive them.

Mr. Prather, we would be pleased to receive a copy of that newspaper article if you would simply forward that to Ms. Nagle, who will give you her address as soon as we go off the record.

We're going to take a five-minute recess for lunch (laughter) and resume in five minutes at 1:50.

**(RECESS)**

**AFTER RECESS:**

MR. McNAMARA: I would like the record to reflect that shortly after the roll call this morning Mr. Yudin joined us and, in addition, Dr. Telling has joined us.

Do we have here the representatives of Hopewell Township?

**MAYOR PETER J. LUNETTA:** (from audience) Yes, sir.

MR. McNAMARA: Would you please come forward?

May I ask, who do we have in the back?

MAYOR LUNETTA: A representative from Marlboro Township.

MR. McNAMARA: Marlboro Township.

MAYOR LUNETTA: (indiscernible) --2:00, Matt has to be somewhere.

MR. McNAMARA: Okay. I thank you for your patience. We have been sort of running off the pace today. We had some testimony given this morning that went on longer than we expected.

Are you Mayor Lunetta?

MAYOR LUNETTA: Yes.

My first name is Pete, by the way, not Ben. (referring to agenda)

MR. McNAMARA: That is a correction that we will make immediately.

MAYOR LUNETTA: That's okay. I've been called worse.

MR. McNAMARA: Mr. Lunetta, do you swear that the testimony you are about to give this Commission is true subject to the laws of perjury of the State of New Jersey?

MAYOR LUNETTA: I do.

MR. McNAMARA: Do you have some prepared comments with respect to your airport?

MAYOR LUNETTA: In fact, I don't, sir. Maybe if we can take a moment. This came as somewhat of a surprise to Hopewell Township. I received a letter, actually, and followed up with a phone call to Mr. Engle, up at Teterboro, and suggested to him that, in our opinion, there wasn't much that we could offer in terms of additional testimony.

We have two airports, one within the borders of Hopewell Township, and that is the one that is discussed in this letter of May 13 to me. "The purpose of your testimony is to let the Commission know the feelings of the town toward Twin Pines Airport and the development of Twin Pines Airport in the future."

To be very honest, we were unaware that there were any proposed developments for Twin Pines Airport.

MR. McNAMARA: Let us respond immediately by saying that we are unaware if there are or if there aren't.

MAYOR LUNETTA: Okay.

That is point one. Point two, the second airport that borders our Township and actually sits in Ewing Township is, of course, the Trenton Mercer Airport. That, of the two, is the one that probably carries the import in terms of Mercer County and its economic development.

Twin Pines is a grass-strip airport that sits on Pennington-Lawrenceville Road. It doesn't have many aircraft there. It has been owned, I believe, by the same family for a number of years. As such, it seems that most of the development toward airport, in terms of the economic sense, has been with the county's effort to get Trenton Mercer Airport -- I guess that is what they call it now-- I know it as Mercer Airport, having learned to fly there.

But in any event, that is really where the economic development push has been directed.

MR. McNAMARA: Are you a licensed pilot, sir?

MAYOR LUNETTA: Yes, but it is one of the typical deals where you have the time and not the money or the money and not the time. Well, unfortunately, I have a license in my wallet but haven't exercised it for a while.

MR. McNAMARA: This is by way of saying, then, that Twin Pines is not really a major municipal concern of Hopewell Township?

MAYOR LUNETTA: Correct. Well, let me say it this way, sir: The first interaction at the Township Committee level-- By the way, I need to say, just for the record, that we are a committee form of government. So while I have the title Mayor, as you may well know, I am simply one of five votes. I don't want to imply that I represent the views of the other committee members; although, I have tried to speak with them and get their feelings on the issue.

But nonetheless, I suspect for the purposes of testimony today, whatever I say, I am going to add the codicil that it really is more my view than a governmental perspective. If that is of value to you, I would be more than

happy to continue, but, again, since sitting on the Committee -- this is now my fourth year -- we have never had Twin Pines come before the Committee or citizens come before the Committee and complain about the airport, positive or negative I should say.

The only experience that I have had with Twin Pines has been a result of sitting on the Planning Board. You may be aware of the Hovnanian development that is located in the southeast portion of the Township, in which they are building approximately 1300 units. As such, they were required by the DEP and the Trenton Water Works to construct a water tower.

It turns out that this water tower sits just across the street from the airport. So, obviously, there were a number of concerns about safety and whether this thing would be in the flight pattern of the aircraft. Obviously, it would be kind of scary to think that on a downwind leg the aircraft is only 120 feet off the ground.

But, nonetheless, the DOT approved the construction of this water tower. In fact, it did not require it to be painted red and white -- the checkerboard, and so forth. I believe there are some lights on the top of this thing. Unfortunately, my memory is going. I read recently that men over 40, their minds shrink, and I am true to form there. So, unfortunately, I can't recall the details about the lighting. There is some lighting on the top of this tower.

I believe the height of the tower is about 117-plus or minus feet. I know from flying at Mercer, pattern altitude was 1200 feet. I don't know, I would have to check a sectional chart to see what the pattern altitude is at Twin Pines, but I suspect it is close or similar to Mercer.

So other than that one issue -- issue meaning the construction of the water tower -- which was opposed by the residents-- Many of them came to the Planning Board meetings to air their concerns about aircraft and a water tower in the traffic pattern.

But beyond that-- There were about 100 folks or so, again, plus or minus a few, that attended the Planning Board meetings relative to this water tower. So other than that one experience which occurred about a year or so ago, a year and a half, we really haven't heard much about Twin Pines that I would suggest would be of a major concern to this Commission.

MR. McNAMARA: What was the concern that brought them in?

MAYOR LUNETTA: That brought the people?

MR. McNAMARA: You say you had 120 people come?

MAYOR LUNETTA: Well, yes. They didn't want the water tower built. They were afraid of the values of their property going down because they would be looking at this huge -- in their minds -- water tower.

MR. McNAMARA: And they were there suggesting it would interfere with the airport?

MAYOR LUNETTA: Exactly. That was one of the concerns that they expressed.

MR. McNAMARA: Did the airport owner come and express that concern?

MAYOR LUNETTA: Actually, he did come-- I don't recall him-- I'd have to check, sir. I honestly don't recall his testimony. I do recall asking the question about the pattern altitude, and so forth, and, of course, his

comment was “The closer you get to the airport, the lower your altitude.” So, obviously, he said it somewhat in jest.

I certainly didn’t see it as a problem. Again, being a licensed pilot-- I mean, there shouldn’t be anyone at 100 feet on a downwind leg to an airport.

MR. McNAMARA: For the record, Twin Pines Airport has a 2200-by-100-foot turf runway oriented on 120 by 300 degrees.

This is something of a good opportunity for this Commission, because you don’t have-- You really don’t have any kind of an ongoing problem or relationship with your airport.

MAYOR LUNETTA: Correct, at least, not to my knowledge.

MR. McNAMARA: If the airport-- If you heard that the airport was intending to pave its runway and extend it to 5500 feet-- If the owner of the airport came to you, as Mayor, and said, “Mayor, I would like to meet with you and with the Committee and explore extending my runway to 5500 feet, because that length will enable me to do a few things: One, accommodate corporate aircraft traffic of all types, and two, give a longer and safer runway to the aircraft that are based at my facility now.”

How would you react to it if he came to you in that manner?

MAYOR LUNETTA: Well, again, I think because we have the uniqueness of its proximity to Trenton Mercer Airport, which has the capabilities of handling *Air Force I*, it wouldn’t make economic sense for this guy to be competitive with Mercer Airport.

MR. McNAMARA: How close is--

MAYOR LUNETTA: They are within five miles of each other. In fact, as I recall my flying days, my instructor told me to call Mercer Airport whenever I was taking off from Twin Pines Airport to let them know I was going up. So, obviously, there must have been a concern about traffic patterns, and so forth, between the two airports. At least that is my assumption.

So I think, realistically speaking, it would be a stretch for Twin Pines to develop, because you do have the corporate capabilities at Mercer Airport. In fact, the Pfizer Company, Johnson and Johnson, and a number of corporate -- I don't know, a large number -- but a number of corporate facilities sit at Mercer Airport. And, of course, they are handling the Gulfstream aircraft, the Citation-type aircraft, some Baron King Airs, things of that nature.

Ronson Aviation is located at Trenton Mercer Airport, so as the FBO there, they are equipped to handle anything from, I guess-- What is the new -- Eastwind or the Bee Line that flies from Mercer Airport now down to points south?

MR. McNAMARA: East Wind.

MAYOR LUNETTA: So what I am suggesting is, I really don't see Twin Pines being an economic force, because it has to compete with Mercer which has an IFR, an ILS-equipped runway. It has an FBO that is a large, major type of operator. I just don't see the two being competitive at all.

MR. McNAMARA: Okay. Suppose he came to you and he said, "We want to pave our runway -- it's 2200 feet -- but what we really want to do is to go to 3500 feet. When this airport was established we were adequate for the fabric and wooden aircraft that were built in those days. But today, all the aircraft are built out of metal, they're heavier, they have more powerful

engines, and they fly faster on final approach. They have to be going faster to take off.

“To keep our margins of safety where we would like to have them, we are going to need to have a longer runway. We’re not really concerned to invite in corporate traffic or jet aircraft. We’re doing this, primarily, because of just the change in the nature of single-engine aircraft in the interim since our inception.”

MAYOR LUNETTA: Well, again, I take you back to the facilities at Mercer. I mean, from a flight standpoint, if someone has that kind of aircraft that comes in hot, so to speak, he or she would be much better going to Mercer than going to Twin Pines.

MR. McNAMARA: Well, we’re not talking about coming in hot.

MAYOR LUNETTA: Well, you’re suggesting higher approach speeds, which would be--

MR. McNAMARA: We’re talking more momentum, I guess. Heavier. Momentum is mass multiplied by velocity, right?

MAYOR LUNETTA: I understand that. What I am suggesting to you, sir, is, you are still landing at 70 knots and down, somewhere in that range. For something to come in that is heavier, to me, it implies a twin-engine aircraft. Most of what is out there, as I recall, are the Cheetahs, the Cessna 152s and 172s, and just the lighter, general aviation-type aircraft.

Certainly, they do a soft-field landing and a short-field landing. So those techniques are taught. If a pilot wants to truly, really feels the need to land at Twin Pines, I think it will accommodate most of the aircraft that are currently there -- those type of aircraft.

Again, if it is a twin-engine type of aircraft, I have seen touch-and-goes with twin-engine aircraft out of that airport. I haven't seen full stops. But the other side of the coin is, I don't sit there all day and watch either.

MR. McNAMARA: Well, now, suppose he came to you and he said, "My business is in trouble. We're not doing the kind of business that we need to do, and we need to pave our runway and extend it as much as the land allows us to just to allow our business to grow."

MAYOR LUNETTA: Well, I think, clearly from our perspective, that is, the governmental perspective, if it is within the zoning, our approach would be, "Take it to the Zoning Board and let's see what kind of resistance you get from the people in the area." I think that is really the issue.

With Hovnanian building its development just, literally, across the street from the airport -- they are along Blackwell Road which borders one side of that property -- there are, I'm going to say, three new housing developments; although, one of them that I am thinking of is called Oak Ridge, and I haven't seen a lot of activity on that piece of property. But, nonetheless, the population is beginning to encroach.

To the nonflying public to see an aircraft do a circle land maneuver at about 150 or 200 feet, it is pretty frightening. So my guess is he would probably have resistance from the neighbors.

MR. McNAMARA: What is a circle land maneuver?

MAYOR LUNETTA: Basically, if you are not in line with the active runway, it is a maneuver that allows you to circle and come on the

heading of the runway that you're going to land. It is typically done in IFR conditions, but I have seen people practice it in VFR conditions.

MR. McNAMARA: Does Twin Pines have an approved instrument procedure? Does anyone know?

MAYOR LUNETTA: No, not that I am aware of. It's just a grass-- Although-- The direct answer to your question is no. However, if memory serves me correctly, a couple of years back the State instituted some type of improvement program where they put additional visual markings along the runway and some other -- an improved wind sock and a few other things that, by the way, are no longer there.

So I am not quite sure why, but, nonetheless, there was an effort to improve the visibility of this airport from the air and to add some aides to the pilot. But, again, they have been removed, so I am not quite sure, sir, why that occurred.

MR. McNAMARA: Is there any reason that you can think of that the Planning Board would like or your Township Committee would like Twin Pine Airport to pave its runway?

MAYOR LUNETTA: Given the residential buildup in the area, my personal reaction would be no.

MR. McNAMARA: How about to extend-- What I am suggesting is to pave its existing 2200 without extending that.

MAYOR LUNETTA: Again, I would suggest--

MR. McNAMARA: No.

MAYOR LUNETTA: --that the airport operator would probably find resistance.

MR. McNAMARA: I'm not talking about resistance. Resistance is--

MAYOR LUNETTA: I understand.

MR. McNAMARA: We're always, I think, going to have-- From what we have heard here, there is going to be some pockets of resistance. So we are just talking about your Township Committee and your Planning Board. Can you think of any reason that they would want to have the 2200-foot runway extended?

MAYOR LUNETTA: At this juncture, I don't know of a reason. Again, because of the proximity of Trenton, it just-- If I were the owner, I would have to question the financial wisdom in paving a 2200-foot runway when, literally, four to five miles to the south and west of Twin Pines is Mercer Airport. I just don't see the wisdom in doing that. But, then again, I've lost money on bets in the past, so I may not be the best prognosticator.

MR. McNAMARA: But if it is his business and his business decision to do that--

MAYOR LUNETTA: Oh, yes.

MR. McNAMARA: --you're not suggesting that Hopewell feels that it can regulate his business growth?

MAYOR LUNETTA: Oh, no, no, no. Not at all. As I suggested earlier, if he is within the zoning laws and ordinances of the Township, we're obligated to let him develop. So there is no effort on behalf of the Committee or the Township government to regulate his airport. Not at all.

MR. McNAMARA: Would he be, in your opinion, within the zoning law if he wanted to extend his runway?

MAYOR LUNETTA: You know, I read one of the questions that dealt with that just before I sat down. Quite honestly, I don't know how the zoning law treats that at the moment. I would have to go back and research that, which, by the way, I would be happy to do for you if it matters.

MR. McNAMARA: Let's switch hats--

MAYOR LUNETTA: Okay.

MR. McNAMARA: --from host municipality to neighboring municipality.

MAYOR LUNETTA: Okay.

MR. McNAMARA: Now, you neighbor Mercer County Airport. What are your problems or concerns about Mercer County Airport?

MAYOR LUNETTA: The only one that I have heard some of my neighbors express to me -- and actually myself -- is the pattern altitude coming out of the airport.

Let me be specific. Occasionally-- I suspect they come out of McGuire Air Base, but there are the C-141s that come over and use Mercer Airport, I suspect, on a training-type run. So they are doing touch-and-goes. They literally go right over my development. I can see the smiles on the faces of the pilots and copilots as they go over our development, which says to me that they are well below -- well, I'll say, below the 1200-foot pattern altitude.

So if we can get--

MR. McNAMARA: You say they're going into Mercer or McGuire?

MAYOR LUNETTA: No, Mercer.

MR. McNAMARA: Okay.

MAYOR LUNETTA: They are McGuire-based aircraft, and I am assuming that, because they are Air Force.

In addition to those, we have the general aviation aircraft, primarily the corporate stuff. Typically, as I recall my flying days, Mercer Airport would have you report in roughly around what is referred to as the Pennington Circle on Route 31. That is about five or six miles from the airport. So inbound they will ask you -- the controllers will ask you -- to report in. Sometimes they will vector you from that landmark. Occasionally, we get them coming over our development and the neighboring developments, by the way.

Again, at that point, being five miles out, they are, to my best estimate, below 1000 feet. With a lot of the new design, in terms of the ability of the flaps to create drag and bleed off speed and drop a lot quicker, I'm not quite sure why they are that low that far out.

Obviously, the issue is noise. I mean, these guys are low, and when you see something that large coming over the area, again, the nonflying public isn't aware-- My suspicion is, they are not aware of the fact that the plane is safe, but it is low. So they are hearing a lot of noise and seeing this large vehicle or aircraft coming overhead, and it tends to concern them.

MR. McNAMARA: Now, that concern is one you feel could be corrected in what manner?

MAYOR LUNETTA: I would suggest that they--

MR. McNAMARA: No, no. You're the Mayor of a township.

MAYOR LUNETTA: How could it be corrected?

MR. McNAMARA: How would you proceed? Obviously, there is some flight path they could follow, but how would you proceed to cause them to follow that flight path, as the Mayor of a township?

MAYOR LUNETTA: Okay. Well, given that it is a county facility, I would first work with the county and suggest that they raise the envelope of their flight pattern to include this five-mile or six-mile approach, so that they guarantee that the aircraft are at least 1200-some-odd feet above AGL, I should say.

I think getting them up that additional 500 or 600 feet would: reduce the noise impact, and secondly, they wouldn't seem as close to residents. Again, if you have seen a 141 at about 500 or 600 feet off of the ground, it is a menacing sight. Again, having folks who may not be educated in flying, it is pretty scary.

Likewise, I should include, although I wholeheartedly support, the new airline that is at Mercer Airport; that is a 737. You may recall the Air Florida crashes in the past that occurred down in Washington? This is essentially the same model of that aircraft. So with that aircraft coming in as low as some of these others, it may cause concern. So I think if we can get them up an additional 500, 600, 700 feet, that may start to alleviate a lot of those problems.

Certainly, the new equipment, the new Gulf Streams, are a lot quieter than some of the older models that I have had an opportunity to fly in and hear as they have flown over our place. Certainly, those technological developments will help resolve this issue as well.

But I think the further you can get that aircraft away from a house, in terms of vertical height, I think the better.

MR. McNAMARA: If the county didn't give you a friendly ear when you went to talk with them, where would you go?

MAYOR LUNETTA: I would be talking to Senator Schluter and Assemblyman Lance -- I think would be my next move.

MR. McNAMARA: You wouldn't go to the DOT?

MAYOR LUNETTA: Well, I would ask those representatives to work with them. My assumption is that--

We're having an interaction with the DOT now, in terms of the Route 31 dualization -- I guess is the word -- that probably is the lightning rod here. But in any event, it seems that both Bill and Leonard have been very good in terms of working with the DOT to help them address this issue. So that relationship has been a good one for us, and I would certainly look to take advantage of it.

MR. McNAMARA: Are you in the development business?

MAYOR LUNETTA: No, no.

MR. McNAMARA: You refer to your development.

MAYOR LUNETTA: Oh, the one I live in. I bought into a development, I'm sorry.

MR. McNAMARA: I see.

Are there other questions for Mayor Lunetta?

Ms. Nagle.

MS. NAGLE: Do you know what Twin Pines Airport pays in property taxes?

MAYOR LUNETTA: No, that was another question that I read on the letter that was sent. But, again, I can provide that for you.

MS. NAGLE: Okay, because I would be interested to know that.

MAYOR LUNETTA: Okay.

MS. NAGLE: Does Hopewell Township participate in an airport committee for Trenton Mercer Airport?

MAYOR LUNETTA: To my knowledge, we don't. No.

MS. NAGLE: Do you know if there is--

MAYOR LUNETTA: It hasn't been offered, and, in fact, this is the first time that I am hearing that those committees exist. So that might be something that--

MS. NAGLE: That might be something that would help you.

MAYOR LUNETTA: --would be helpful, yes.

MS. NAGLE: What do you think would happen if Twin Pines Airport -- Mr. Reasner decided to no longer run Twin Pines Airport? Would the Township of Hopewell be interested in purchasing that airport? Has there been any talk of that?

MAYOR LUNETTA: No, there hasn't been talk of it. We do have a reasonably aggressive program-- I heard your question earlier about the Green Acres moneys. We happen to be, probably-- Well, I won't say it that way. We are one of the towns that do pursue open space. It comes at a premium to the people who seem to move to Hopewell. They are willing to pay the extra tax levy that results in open space.

So my guess is that, rather than see it grow houses, some of the organizations that are in the town would look to buy it as an open space type of opportunity.

MS. NAGLE: The 1300-house development that Mr. Hovnanian is building, how many acres of land is that?

MAYOR LUNETTA: Four hundred and, I'm going to say, sixty-five. I don't know why sixty-five is sticking in my mind, but it is somewhere on that order of magnitude.

MS. NAGLE: What is the typical zoning?

MAYOR LUNETTA: Over there?

MS. NAGLE: In Hopewell Township. Is it an acre?

MAYOR LUNETTA: Oh, the typical is two, two acres.

MS. NAGLE: Two acres.

MAYOR LUNETTA: Yes.

MS. NAGLE: Thank you.

DR. TELLING: If I could?

MR. McNAMARA: Dr. Telling.

DR. TELLING: Have there been any-- One of the other aspects that tends to influence people's opinions about airports is environmental -- either because of fuel issues and maintaining it -- or other activity. Are you aware -- you said there has been very little activity focusing on Twin Pines -- of any other sort of nonaviation-related concerns about the airport? Whether they are environmental, generalized safety, either for Mercer County, which, as you say, you abut, or for Twin Pines?

MAYOR LUNETTA: Other than the water tower-- That is the first. Yes, and unfortunately you're talking to an individual who only has four years of direct experience.

If you get a chance, you may want to talk to Bill Cane. Bill is the Director of Fire Safety for the State of New Jersey, but he has been on the Committee -- this is now, let's see, 12 years, so he will be 15 years on the Committee. So Bill brings a great history that might help in terms of his perspective. So I would suggest that he may be able to help you in that regard.

DR. TELLING: If I could follow up some of the tail end of the earlier testimony that I heard: If there were a request for an expansion of the airport, is it clear in this Township what process would be followed for it to be acted upon? Would it go to the Planning Commission, what?

MAYOR LUNETTA: Yes, it's clear to me. I don't know, in general, whether the folks would understand it. But, yes, I think there is a reasonable understanding of how that process would take place.

DR. TELLING: And those rules and regulations are promulgated some place?

MAYOR LUNETTA: Yes. Yes, they are. In fact, we have the land use law separately bound and available to our citizenry, and, of course, it turns out we sell a lot more to real estate attorneys than we do anyone else. But, nonetheless, it is available.

DR. TELLING: I'm sure. If it wouldn't be difficult, could you send a copy of the land use law that would be relevant in this case to the Commission's attention?

MAYOR LUNETTA: You bet.



MAYOR LUNETTA: This was a *Mount Laurel* obligation. Our town, the attitude was, "Let's work with the courts and with the appropriate authorities and get the best kind of cooperation going." The assumption was that we would get the best deal in terms of the housing, and so forth -- the COAH numbers and the like.

MR. McNAMARA: Are you in Somerset County?

MAYOR LUNETTA: No, sir. We're in Mercer County.

MR. McNAMARA: All right. Judge Serpentelli is sitting on a Mercer County--

MAYOR LUNETTA: Quite honestly, I don't know at that point-- I assume he was in the Mercer County court system at that time. I just have heard his name. I believe that goes back about eight or nine years, so it predates me by about five.

MR. McNAMARA: Had it not been a *Mount Laurel* case-- Or let's get to a different scenario: How would you receive it if the owner of the Twin Pines Airport came to you and wanted to develop his airport? Is that generally received as good news, that you might have an additional 200 to 300 families in the Township, or is that like other townships who don't receive that so well?

MAYOR LUNETTA: Having gone through a recent maintenance referendum in the school district of about \$13 million and, then, an additional \$23 million or \$26 million school budget issue, it probably would not be received well.

MR. McNAMARA: Do you know how much your Township loses per new house or new family?

MAYOR LUNETTA: No, but I can say it the other way. In order for our Township to break even, the assessed value of the home has to be somewhere in the mid-400s. So anything below a \$400,000-- And I want to say \$425,000, but I could be wrong, but it certainly is in the \$400,000 to \$500,000 range -- any home below that does not “carry itself” and I put those words in quotes.

In fact, the Hovnanian development has a lot-- It is a mix of single-family, town homes, and condominiums. Please don't ask me what that ratio is. But what I can tell you is, the single-family homes are priced at the high end, \$325,000 or \$350,000. The town homes are about \$160,000 or \$150,000, somewhere in that range, and the condominiums are a little less. So we, essentially, have a very large number of units coming in, and they are all at a number that, again, from the Township perspective, doesn't carry itself.

I don't know if that helps you, but--

MR. McNAMARA: Well, is it safe then to say that you would like not to see Twin Pines Airport turned into a residential development?

MAYOR LUNETTA: I think that would be fair to say. Yes, sir.

MR. McNAMARA: Doesn't that create something of a dilemma? You would like not to see it developed, because if it were developed you would have your situation exacerbated?

We had one township come in and tell us that they were losing \$20,000 per home, annually, for a new home added when an airport was developed. I believe that was the testimony. Oh, no, it wasn't an airport, it was a tract similar to an airport that was being developed.

Yet, if the airport owner came to you and said, “For my business, I would like to make certain improvements to my airport,” the Township would resist that. This isn’t so much a question as-- It is a dilemma, isn’t it?

MAYOR LUNETTA: Well, yes, it is, sir. But there is one other component that I think, although it may not be unique to Hopewell Township, is very important to Hopewell Township, and that is the ratio of industrial/commercial development to residential development.

Hopewell Township is about, depending upon what newspaper you read, it ranges from 58 square miles to 62 square miles. Most of that is agricultural. To give you an idea, we are approximately 12,500 people in this 60-square-mile area.

Our ratio, although I don’t know it specifically, is extremely low in terms of commercial development to residential. By commercial, we tend to think of the Bristol-Meyers Squibb facility, the AT&T facility that is out on Carter Road. So we look to have large corporate-type facilities -- *R* and *D* type facilities. Those are the attractive type of ratables that we would love for Mr. Weisner (phonetic spelling) to build on his property. We would do whatever we could to support that, certainly, assuming it’s a marketable type of property in that regard.

MR. McNAMARA: Suppose he came to you, as many airport owners are doing in the country, and said, “I can provide that for you, if you will allow me to build a 5500-foot strip so that I can have instrument and corporate jet traffic. We’ll have an industrial park out here with corporate headquarters for Fortune 500 companies. We’ll provide a grand number of





MS. NAGLE: I think Marlboro was next.

MR. McNAMARA: What's that?

MS. NAGLE: Marlboro.

MR. McNAMARA: I'm sorry, Mr. Byrnes. I called you once, but too early, if you don't mind.

**KEVIN J. BYRNES:** No problem.

MR. McNAMARA: Is there a representative of Marlboro Township here?

**MATTHEW V. SCANNAPIECO:** (from audience) Yes.

MR. McNAMARA: May I ask your name, sir?

MAYOR SCANNAPIECO: Yes. Matthew Scannapieco, Mayor of Marlboro Township.

MR. McNAMARA: Matthew -- would you spell that, please?

MAYOR SCANNAPIECO: Scannapieco?

MR. McNAMARA: Yes.

MAYOR SCANNAPIECO: Just like Smith. S-C-A-N-N-A-P, as in Peter, I-E-C-O.

MR. McNAMARA: Scannapieco? (indicating pronunciation)

MAYOR SCANNAPIECO: Scannapieco. Pieco, (indicating pronunciation) with a C.

MR. McNAMARA: Oh, with a C.

MAYOR SCANNAPIECO: Yes.

MR. McNAMARA: Mr. Scannapieco, do you swear that the testimony you are about to give is true or will be true subject to the laws of perjury of the State of New Jersey?

MAYOR SCANNAPIECO: Yes, I do.

MR. McNAMARA: Do you have a prepared statement for us?

MAYOR SCANNAPIECO: What I had responded to earlier I did bring with me. I had received letters going back as early as January of 1996. I did prepare a general statement addressing those questions that were contained in that letter. I do have that with me, and I have some additional information which I can present either in direct response to questions or try and recall as much as possible for you in this statement.

MR. McNAMARA: For the record, Marlboro Township serves as host to which airport?

MAYOR SCANNAPIECO: Marlboro Airport.

MR. McNAMARA: Okay. Why don't you proceed just as you were planning to. If you have an exhibit with you-- Is that our questionnaire that you have?

MAYOR SCANNAPIECO: Yes.

MR. McNAMARA: Have you submitted that back to Mr. Engle?

MAYOR SCANNAPIECO: I submitted a response to this questionnaire, but at that time, when I prepared my response--

MR. McNAMARA: Yes.

MAYOR SCANNAPIECO: --I chose to address it in more general terms as opposed to dealing very specifically with the questions, because we did not have significant information on the airport.

Marlboro Airport is a private airport. It does not really do any commercial business in this point in time, I believe. It just has pleasure planes

that I think people are keeping there. There is really no corporate type of activity in my understanding.

The one activity that was there up until, I think, this past year-- There was the Del Rossos (phonetic spelling). They had a business that they were doing, sight-seeing, lessons, and things of that nature. I believe they have moved, now, to Old Bridge Airport. So there is even less activity taking on at this point in time.

But I do have, as I said, my response, which was dated January 22, 1996. As you can see, it is just a little less than a full page, but it dealt with some of issues in somewhat general terms.

MR. McNAMARA: All right. Why don't you just proceed as you would like, and we'll ask you questions after you have finished.

MAYOR SCANNAPIECO: Just a bit of background information on Marlboro Township. Marlboro Township is a community that is approximately 31 square miles. We have approximately 31,000-plus residents in our community. Our Township is one that has been somewhat of a hotbed for residential development.

There is an unbuilt residential housing element out there of about 3000 prior-approved homes, which the plans are coming in as we speak, and there is more and more development going on. The farmland is disappearing not only in Marlboro Township. We see the same in some of the neighboring communities with Manalapan to our east, Old Bridge to our north. We see development in those communities. Colts Neck has been more successful in holding out some of their development. But the area, that section of New Jersey, has been a residential hotbed.

When it comes to the airport, Dr. Genova, I believe, is the owner of the airport. He is getting on in years. I think his health may be at question. I had some information that he was interested in selling the airport. He would like to keep it as an airport, but there is not a great deal of interest in keeping it as an airport from what I can sense.

The concerns that we have in Marlboro Township, since we have been under tremendous pressure to maintain services with all of the residential development that has been taking place -- pressure for schools. We have a Commission now looking at how we are going to meet our needs to maintain quality education.

We have recently had to expand our police department. In the last three years, we have added 12 police officers. Pressures on providing recreation, and so forth -- all of this is coming from the increase in the residential development that we have experienced. We expect to have this pressure going on for at least the next five to eight years.

If the airport were to close, we have a major concern as to what would happen with that property. Right now, our zoning does allow three-acre development within the airport hazard zone, so determined. Should the airport no longer be there, it would be a concern because there would be pressure to bring in additional residential development.

I know from talking to my Town Council-- The philosophy of the Town Council is not to rezone, not to downzone properties because of what we have to presently deal with. It is the opinion of the Town Council, and I also discussed it with my Planning Board, that if we can keep the airport open that would be in the best interest of the Township.

When it comes to taxes, the economic benefit to the community is relatively insignificant. The taxes contributed by the airport, for instance, for 1995, were \$22,259. That, of course, does not all come to the municipality. A portion of that is the county tax which, I'm not sure of the exact percentage, could be up to a third of that amount and would go to the county. The rest would go to the local and regional school district, and the municipal portion is about 15 percent. So from the point of view of contribution to the taxes in the community, it is insignificant.

When it comes to the businesses, it is my understanding that there might be three small businesses that operate at the airport. There is a luncheonette, which is very charming. I go there and have breakfast on a few mornings and watch planes take off and come in. But there is really no significant economic contribution from the airport in Marlboro Township.

From a physical perspective, and I will also leave this with you, I brought the zoning map of Marlboro Township. (indicates) The airport is located in the center of the town in the northern half. At the eastern portion of the hazard zone, there are high-tension wires within that hazard zone. Along the northern portion, about half of the hazard zone, the same wires do cross, which, to address maybe some other questions that might be forthcoming, that would be a concern if the airport were to be expanded.

The airport also has running through it Route 79, which is a State highway. There is additional planned development which is going to occur later this year. There is about a 100-unit development which almost borders on a portion of the airport hazard zone to the southeast. To the eastern section, there is another development which is presently starting up -- I would

imagine in another two or three weeks breaking ground. Then, to the north, there are two or three additional developments that will be breaking ground, I believe, before the summer is out. All total, about 500 additional homes, 600 additional homes on those properties.

The mood of the Township, since it is characterized as, for want of a better term, a bedroom community, primarily residential based: to have anything larger in the way of aircraft coming in there, I think, would be a concern, because 31,000 people in our community-- And if I may contrast it to the previous testimony that Mayor Lunetta put forward on Hopewell, they have 12,500 residents in 58 square miles. We have 31,000 in 31 square miles. To have larger planes coming in at faster speeds and maybe greater noise, I think that would be a concern.

The history, since I have been involved in the community now, which is about 12 years with the last 4 and a half as Mayor, prior to that the Town Council-- There have been a few complaints. The complaints that we have received with regard to the airport operations primarily concerned when the sight-seeing operation was there from the Del Rossos, because those planes were up and down, up and down. They were giving lessons. A few years back, there was a very serious accident, and there was a fatality in that accident.

People who live along Harbor Road and Brown Road, which border and go through portions of the airport hazard zone, have made complaints in the past with regard to low-flying aircraft. That has not occurred since the Del Rosos moved to Old Bridge.

I think the mood within the community is one that it is charming to have the airport there. A lot of people, I would imagine, don't even realize

it is there. But I do believe that if there was expansion, I think the community would be greatly concerned, once again, because of the density that we have.

From the point of the view of the municipality, as I stated before, the Planning Board, Town Council, and myself would like to see it remain, because of the concern for what would be there, for which we don't have the ability to deal with, the additional residential base.

If we were able to protect the zoning -- three-acre zoning or maybe even two-acre zoning -- that would be less of a problem for us. But when we have companies such as Hovnanian, who is building in town, when we have other companies like Calton Homes, who wants to build on maybe half acre, the density is more than we are able to absorb. But if we could preserve at least a two-acre zoning, that would be less of a concern.

I think at this point, I have kind of gone around and tried to respond to some of the questions I think you might have been asking, and some of the information I intended to present, I have.

At this point, maybe it's good to turn it over to you, Mr. Chairman, for some direct questions.

MR. McNAMARA: Thank you, sir.

What will happen if the owner of the airport dies and his estate takes title to the airport, and of course, the trustees of the estate will be charged with maximizing the assets of the estate prior to distribution to the beneficiaries. That has development written all over it. How would the Township react to that?

MAYOR SCANNAPIECO: I think what the Township would do-- I would have to speak for myself and how I understand our Planning Board

works and also our Town Council, and we have all been fairly compatible in our philosophy for the future of the community. We would try and sit down with whoever would be appointed, whoever would have control of the properties and talk to them as to what makes sense for the future of the town and, also, what they would intend to do to see if we could come to some form of agreement. We have done this in a number of cases where we have been successful in even changing prior-approved projects.

If I could digress a bit, prior to my administration, there had been some other approved residential developments. For instance, to the northeast of this airport, there was a project approved in 1985 for 1066 units. I have met with the property owners, working with the Town Council, and so forth, and we have downsized that project to less than 400 homes.

We have been able to come up with some creative ways in showing property owners that they don't necessarily have to maximize every square inch of the property and shoehorn in units in order to be able to make a reasonable profit.

MR. McNAMARA: Would your Township consider purchasing the airport and continuing to run it as an airport?

MAYOR SCANNAPIECO: I would think that with our current situation, the tax base, I don't believe that would be possible. I don't believe it is a significant revenue generator. I'm not sure that it could be made into a significant revenue generator based on what exists within the area. There is not much in the way of major business to attract corporate use right near by. The closest thing in Holmdel, of course, there is Bell Labs, but I'm not sure how businesspeople are commuting there.

MR. McNAMARA: Would your community be interested in having corporate residents located on an airport?

MAYOR SCANNAPIECO: We're always interested in that kind of development, because, as I mentioned before, we are a residential-based community, so the burden, the tax burden, is upon the home owner primarily.

The only real commercial activity we have is, we have a few shopping centers, anchor stores like a Pathmark in one, a K Mart and a Shop Rite coming in, in another. We have two small industrial parks, but they have never taken off real big, because one of them is in an area where there is no water and no sewer, and you can't have heavy development without that. We do talk about commercial ratables, but it is difficult to attract commercial ratables. A high tax base, high cost of utilities, the high cost of employment, it is not very attractive from the point of view to bring in commercial ratables. But we do sit down and talk.

I have created an Industrial Commission. We did that a few years ago. We have mailed out brochures on our Township throughout the State, through the State Development Commission, to the utility companies, and so forth. We tried to market the town, but there just isn't that much business available. So we are always interested, always willing to sit down and talk about anything that speaks well for the future that fits into the vision that we have for the future of the town.

MR. McNAMARA: Are there any questions for this witness?

Ms. Nagle.

MS. NAGLE: Do you know how many acres are in Marlboro?

MAYOR SCANNAPIECO: How many acres in Marlboro? No, I don't know how many.

MS. NAGLE: Marlboro Airport.

MAYOR SCANNAPIECO: Marlboro Airport, according to the tax information I have here, is 35.4 acres. I'll leave this with you. (indicating)

MS. NAGLE: What is the zoning? If it were to go to residential use, what is the zoning?

MAYOR SCANNAPIECO: Well, presently the zoning that is allowed -- and I'll leave this with you, also, it is our Airport Hazard Zone District. (indicating)

MS. NAGLE: Well, if it weren't an airport?

MAYOR SCANNAPIECO: Well, right now the airport hazard zone does permit three-acre zoning. I'm going to leave with you our zoning map (indicating) as another exhibit for you. You can see that within the 31 square miles of Marlboro Township, we have all types of zoning. We do have a multifamily district that will allow a density of as much as maybe eight units per acre in the townhouse, condominium configuration. We have a lot of half-acre zoning, R-20. We have R-40 zones, which is one acre, quite a bit of R-80, two acre, and our largest zone is an LC zone which provides for five-acre development.

One other characteristic that we have in Marlboro Township is we do have a lot of wetlands, and there are portions of the town that are environmentally sensitive from the point of view of wetlands. Plus, we also have a few Superfund sites, Imperial Oil, Burnt Fly Bog, etc., where there has



MR. McNAMARA: Okay. Well, thank you very much, sir, for taking the time to come down here and give us your testimony.

MAYOR SCANNAPIECO: You're entirely welcome. Thank you.

MR. McNAMARA: Now, Mr. Byrnes. I see you are in the company of another gentleman, if you would like him to come up, he is certainly welcome.

MAYOR SCANNAPIECO: Excuse me, Mr. Chairman, who can I give these to? (indicating)

MR. McNAMARA: You can give them to our Reporter.

Good afternoon.

MR. BYRNES: Good afternoon.

MR. McNAMARA: First, thank you for your patience. We're running off the pace. We appreciate--

Would you introduce yourselves, please?

MR. BYRNES: Sure. My name is Kevin Byrnes. I am the Township Manager for West Milford Township in Passaic County.

**WILLIAM DREW:** I am William Drew. I am the Planning Director for West Milford Township.

MR. McNAMARA: Do you gentlemen swear that the testimony you are about to give this Commission is true, subject to the laws of perjury of the State of New Jersey?

MR. BYRNES: Yes, I do.

MR. DREW: I do.

MR. McNAMARA: Do you have a prepared statement?

MR. BYRNES: I don't have a prepared statement, but having listened to the testimony of your two prior witnesses, I may just have a few comments initially just to give you a feel for West Milford Township and what we are facing with regard to Greenwood Lake Airport, which is located within the Township.

MR. McNAMARA: What is the name of your airport?

MR. BYRNES: Greenwood Lake Airport.

MR. McNAMARA: Greenwood Lake, of course.

MR. BYRNES: West Milford Township is a community of approximately 80 square miles. It is the largest one in area in northern New Jersey. It is situated in the northwestern corner of Passaic County, really adjacent to the New York State line. As a matter of fact, Greenwood Lake, which is just north of the airport, is situated half within New Jersey and half within New York State.

The bulk of West Milford Township, some 65 percent of the land mass of the town, is open space: properties either owned by the State of New Jersey as Green Acres properties -- State forests or State parkland -- Passaic County owns sizeable portions of West Milford for open space preservations, including a portion of Sterling Forest which was purchased by the county just a couple of years ago, and one-third of the land mass of West Milford is owned by the City of Newark as part of its Pequannock Watershed holdings. So the vast majority of West Milford is open space properties not subject to major development pressures.

The remaining balance of the property within West Milford either currently is already developed or suffers from severe constraints to



developments that do exist and one that is currently under development that are in close proximity to the airport and the airport hazard zone.

So, by and large, I would say that the community does look upon the airport favorably. It has concerns as to potential growth there, and I'm sure that will become a continued debate over the next year or so as we decide whether to purchase it, as well as future debate if it has to come before the Planning Board for any expansion or enlargement of the operation.

I will just open with those comments, Mr. Chairman.

MR. McNAMARA: Greenwood Lake currently has a 4000-by-60-foot asphalt runway. Is that correct?

MR. BYRNES: That is correct.

MR. McNAMARA: Do you have corporate jet traffic going in and out of that airport?

MR. BYRNES: None at the present time.

MR. McNAMARA: There is a second runway at the airport?

MR. BYRNES: There is a second runway. Coincidentally, we just had a meeting last week with representatives from the Division of Aeronautics. That second runway, as I understand, isn't used by the airport operator at the present time. I guess there is some question as to whether it would continue to even exist in operation at all.

MR. McNAMARA: It is, by way of summary, safe to say that presently there are no problems-- The municipality has no problems with existence of the airport or the airport operations as they are currently conducted?

MR. BYRNES: We have had no problems. Again, when the discussion came up in the last year about the purchase of the airport, there was some debate. Some of the residents who are in the immediate area of the airport are questioning what the town's motives are by purchase. Do they see the town purchase as a precursor to expansion of the airport operation as a means of a revenue generator for the town? That is going to be part of the debate.

Actual complaints about the operation of the airport? Only in recent weeks and months have there been complaints, more in line with planes that are coming in and apparently practicing touchdown and takeoff, touchdown and takeoff on a Saturday morning. Some of the residents in the immediate area have objected to that practice.

Other than that, we have had really no complaints.

MR. McNAMARA: Would your community be encouraged to purchase that airport if you thought it could be a base for corporate activity, jobs and rents coming to the Township?

MR. BYRNES: There is a feeling that the airport itself -- that there may be some expansion, hangar space, things of that nature, that could derive some additional revenues from the airport as an operation.

The Township itself doesn't see the community growing. We have no central water system. We have no central sewer system. To develop those types of infrastructures are extremely costly because of the terrain that West Milford finds itself in.

In recent years, the town's Economic Development Committee and the whole feeling of the town government has shifted away from that



department, the town hall itself, is within three-quarters of a mile of the airport. So there is major costs associated with the airport at the present time.

MS. NAGLE: Thank you.

MR. McNAMARA: Mr. Engle.

MR. ENGLE: Mr. Byrnes, one of the-- Going back a number of years -- you said you have been a clerk there for 18 years, so you probably remember it -- Jungle Habitat right next to the airport-- Nothing has been done on that land, I think, since Jungle Habitat moved out. Is there anything planned for that area, the old Jungle Habitat area, right next to the airport?

MR. BYRNES: The Habitat property, which is approximately 1000 acres in size, has remained vacant for at least 20 years. Jungle Habitat closed in 1976 and it--

MR. ENGLE: That long ago? (laughter)

MR. BYRNES: Yes. It doesn't seem possible, but, yes. It has been 20 years.

MR. ENGLE: We're dating ourselves.

MR. BYRNES: The property is zoned, and I can ask Bill to go into a little bit of detail on it-- We have it zoned as a special economic district which is a mixed use of commercial/residential activities on that property. It is immediately adjacent to the Greenwood Lake Airport. So, again, one of the interests the town has in investigating whether it should purchase it is, in essence, to see the airport preserved, because we see it as-- If there is going to be any sort of commercial growth within the town, it probably would occur at the Habitat property.

Bill, if you want to maybe comment on the SED zone?

MR. DREW: It is a high-density zone with a major residential component attached to it. I would think, probably, in light of-- That zoning precedes the airport hazard zoning. Part of this property falls within the airport hazard zone, so I would think that any development of that property, the focus would be away from the residential component and more towards an industry.

MR. McNAMARA: Mr. Elliott.

MR. ELLIOTT: Is the nursing home and senior citizen community going up now a potential problem to the airport?

MR. BYRNES: The senior citizen community -- Bald Eagle Commons is the name of it -- is just outside of the airport hazard zone. I know earlier-- I guess late last year or earlier this year, there was some modification made to the one water tower that was proposed for this complex. That is the only thing that we are aware of that has had any direct impact on the development of that project, again, because it does fall outside of the airport hazard zone.

MR. ELLIOTT: So you don't see it as any potential problem now that the tower has been resolved?

MR. BYRNES: The tower is the only thing that, physically, we knew would be a problem. That community and there is an adjacent residential community, again, just outside of the airport hazard zone that has been in existence for 30-some years. Those are the two communities within West Milford Township that will be directly impacted by the airport as it currently exists or as it may exist into the future. I'm sure, knowing how

things evolve, that there will be complaints from those communities because of the existence of the airport, but that is a fact of life.

MR. ELLIOTT: But the nursing home community and the senior citizen community are brand new, are they not?

MR. BYRNES: They are.

MR. ELLIOTT: Was the airport a consideration when permission was granted to build in that location?

MR. BYRNES: I don't recall, and it would have been before Bill's employment with the town. When the application was before the Planning Board, I don't recall there being any major discussion with the fact that this property was that close to the airport or that was a detriment to the siting of that facility at that location.

As a matter of fact, I'm not sure of the date on the airport hazard zone or the Airport Safety Act, but I would imagine that this development, while it just started construction a year ago, was probably preapproved before that Act was adopted, because that development sat some six or seven years in the DEP going through review on water, sewer, and wetlands issues.

MR. ELLIOTT: Thank you.

MR. DREW: I could also add to that. I am aware that in the sales office for the senior housing complex they have a map that identifies Greenwood Lake Airport. So anyone who comes in interesting in purchasing a unit can see the--

MR. ELLIOTT: Is advised, so they're aware of it.

MR. DREW: Yes. Yes.

MR. ELLIOTT: Fine.

Thank you.

MR. McNAMARA: Dr. Telling.

DR. TELLING: The Greenwood Lake Airport recently underwent substantial expansion of its runway, I assume with Federal funds, which places a burden on the airport to stay open for some period of time. Do you know how long that requirement is, or was it a combination of State/Federal funds, do I assume?

MR. BYRNES: I'm not sure of the length. It is my understanding that because they did accept those funds that there is an obligation to stay open or to stay in existence as an airport. I don't know for a fact, but I have heard 20 years as a time frame, but that is only hearsay.

DR. TELLING: Well, I certainly would want to do nothing to discourage the municipality from looking at trying to maintain the facility, especially if it has undergone substantial improvement. I used to be based there long before, when it was a much shorter and a more challenging opportunity to land, especially a small twin.

But I think the sentiment that you have heard here, there is a concern, obviously, as the development keeps going up around it and it increasingly becomes residential of various types and sizes, it is ultimately going to put the very kind of pressures on that airport that have done the death knell of virtually all the others. So as you proceed in your planning, I hope you're able to bear in mind and find the balance that is suitable and conducive to the airport maintaining itself.

MR. McNAMARA: One question I have: Do you think, over the past 18 years, that communication between the airport and the Township has been good?

MR. BYRNES: There has been a minimum of communication. I think the communication could be improved, quite honestly, but, again--

MR. McNAMARA: If it were improved, how would you improve it? What mechanism would you recommend not just for your airport, but for all airports and all municipalities?

MR. BYRNES: As I commented earlier, I think the airport has existed-- And, again, West Milford, maybe because of its size, is unique, and the airport has the same problem as many other entities within the Township, being spread out over 80 square miles. I am safe in saying there is probably a good majority of residents of West Milford who don't even know there is an airport that exists within the Township. We're so spread out.

Where I live in West Milford, which is in the southwestern corner of the Township, near Jefferson Township in Morris County, there is zero impact on where I live because of the Greenwood Lake Airport. I think that is, maybe, part of its blessing in that it is there, the communities that immediately surround it are familiar with the airport being there, but up until last year no complaints about its operation.

I think if it could communicate and make itself known, it might enhance its own economic growth, quite frankly. I think people just don't know that it really exists.

MR. McNAMARA: But did you have any problems with the development of Greenwood Lake Airport?

MR. BYRNES: No. As a matter of fact, in the expansion of the runway, which occurred four years ago, the Township's municipal departments worked with the owner. We were able to verify that the runway had been shown on some site-plan applications going back to 1974 and gave the owner approval based upon those site-plan applications from 1974. So we tried to work with the airport owner in seeing that those expansions could move ahead.

MR. McNAMARA: When you said that communication could be better, you mean not so much communication between the airport and the municipal government, but that the airport should advertise itself more in the commercial sense, for its commercial benefit?

MR. BYRNES: Correct.

MR. McNAMARA: I'm just referring to avenues of communication between the airport and the municipality, whether it be the municipal government or the people in the municipality, to avert the kinds of problems that arise from a lack of communication, the primary one being a failure of trust by the municipality of what the airport owners are doing.

MR. BYRNES: Again, up until four years ago the airport really wasn't doing much. So there wasn't much activity or need for communication going back and forth between both entities.

In 1992, when the airport came in for the expansion of the runway, that was done with, I think, very good communication between the town government and the airport owner. In that regard, I think we do have good communication going back and forth. My comment earlier was just in communicating their existence for commercial viability.

MR. McNAMARA: Okay. Is that it? (no response)

Thank you very much for taking the time to come all the way down here to give us the benefit of your comments. We appreciate it a lot.

MR. BYRNES: Okay. Thank you.

MR. DREW: You're welcome.

MR. McNAMARA: Is Mr. Maupin here? (affirmative response)

Good afternoon, Gil.

**G I L E S B. M A U P I N:** Hi.

MR. McNAMARA: For the benefit of the record, let me just introduce Gil Maupin, who is a long-time fixture in the Department of Transportation, Division of Aeronautics now, which has been off and on.

Gil is probably the official in the State who is most familiar with the history of airport closures, and on very short notice, for which we apologize, we have asked him to come to us today and enlighten us in that regard. He has agreed to do so on the condition that he can submit, within the next week to 10 days, supplementary information.

Is that correct, Gil?

MR. MAUPIN: Yes.

MR. McNAMARA: Mr. Maupin, do you swear that the testimony you are about to give this Commission is true subject to the law of perjury of the State of New Jersey?

MR. MAUPIN: I do.

MR. McNAMARA: Please proceed.

MR. MAUPIN: Okay. I put together a list, which I can make available to the Commission this afternoon -- it was rather quickly done -- of how many airports have closed in the State of New Jersey since 1952. That is

as far back as I could dig up any records, even with the help of someone who had been there a little bit longer than I have.

Oh, that will help. (referring to microphone)

MR. McNAMARA: Oh, why didn't we do that earlier when the guy was drilling?

MR. MAUPIN: I didn't notice that it wasn't on. I assumed it was, because I could hear very well before. I just thought it was.

Okay. I'll start that over again. The list I made up comprises some 52 airports that have closed in the State of New Jersey since 1952.

MR. McNAMARA: Gil, let me just interrupt for one second.  
Phil Engle.

MR. ENGLE: Yes, sir.

MR. McNAMARA: You're coming in through the loud speaker here. (referring to microphone)

Sorry. Go ahead.

MR. MAUPIN: I can name these off or I can let the Commission have this particular list. Then, I can go over it individually. I was only able to get one copy that I could get to you.

MR. McNAMARA: Gil, what we'll do with that is you keep that while you give your testimony, and then, if you don't mind, when you're finished you can give it to the hearing reporter. He'll just make copies of it as he copies the record for everyone of us.

MR. MAUPIN: Okay.

My experience with the closing of airports has been primarily that it has been based on economics, and economics being an umbrella, that there

were many different facets. The property owner, the airport owner hasn't been able to gain sufficient income from the property itself to sustain his family; prices of materials; taxes; everything that has gone into it to that extent; and one of the biggest things that overcome the airports has been the price of the land as it has evaluated or gone up.

Then, a developer comes along and offers a sizeable amount of money to an airport owner who has lots of nice, flat, open land that used to be out in the country, but now it's generally in close proximity to some townships. They get to the point where they just can't put up with any more, and they'll accept the moneys that are offered for their acreage and close the airport down.

That has happened, probably, in 80 percent -- I'm using a general round figure. Of the airports that have closed, it has been primarily due to development, and that, then, goes back to the economic portion that I'm speaking of.

Some of the airports have closed because of environmental reasons or just purely at the whim of the owner. That they didn't want to run it any more, so it was closed. A couple of the seaplane bases were that way, but they're not really into the factor of the land-based airports that you're looking into. But, for the most part, it falls right back to economics.

Since 1980, there have only been three airports that have been revitalized. Only one new airport has been opened, and that was around 1984, I believe it was. That was Oldmans Airport in South Jersey, in Penns Grove, somewhere in Pennsville.

Two other airports were reactivated: Flying W Airport, which was built in the late '60s -- I'm sorry, in the late '50s and then to the early '60s--

Then, it was closed for about 10 years. The owner decided to reopen that, and subsequently, it went through several ownerships. It is still opened. It has always been open since then, since about 1985. Another little, small airport that was a restricted-use airport for years and finally decided to go public, it is still open. It is a turf runway airport.

Those are the only three that really have come into being since the early 1980s. Airports have closed. New ones have opened since 1952 to 1973 when I came onboard. I do not have a breakdown of those that have come into existence during that time frame, that I know of.

Some of them have changed names, such as the old Mercer County Airport. It was across on the other side of Route 95 where the golf course is now, and subsequent building of the airport in its present position, they still retain the same name. So one went down, but a new one was built. I do not have a breakdown of that.

Some of the airports that closed to due environmental problems, I'll give you an example of two of them. One was Bridgeport, a relatively large, two-runway complex, quite active. The people who owned that had, through their representative and attorney, brought forth to the State that it was a dangerous airport, that it was going to cause a Bhopal-type accident because of a chemical plant in close proximity to it and airplanes were flying over it.

Well, every airplane that went into Philadelphia flew over that airport just about or in close proximity to it. But the hysteria that was raised because of an airplane flying over this and suddenly crashing into it, the people who owned it decided to do away with it. It was closed. It is still recognizable

as an airport and has never been developed into anything whatsoever since then.

So that one was closed through a hysterical-type reaction. The cleanup of that airport now, though, would be tremendous, because there was a lot of toxic materials, a lot of crop-dusting activity on that airport. It will probably never open in that sense.

Another airport that was closed because of environmental problems was the old Camden Burlington, where the previous owner, or one of the owners, allowed an asbestos firm to bury large amounts of asbestos material on it. Many things went back and forth and the company that did the waste burial acquired the airport and closed it down, because they didn't want to go through the process of cleaning it up. They went through a closing of the entire process.

Those are two examples that are a little more glaring of something that happened. But the rest of them I can hardly think of a one that hasn't been influenced primarily by development, either encroaching on the traffic patterns and creating problems within a township or the land itself becoming so valuable for development that the airport owners decided to sell out and go.

I don't have a whole lot more to add to that. If you have any questions it would probably jog my memory a little bit on some of the things you have been looking for. So I will ask you if you want to open it to questions?

MR. McNAMARA: I have just one quick one. You say that the Bridgeport -- did you call it Bridgeport Airport?--

MR. MAUPIN: Yes.

MR. McNAMARA: --probably will not reopen. Does that mean that it is a reopenable facility right now?

MR. MAUPIN: My personal opinion on that would be, under the circumstances that it was closed and the wording of letters that we received from the property owners and the township concerning the fear of a major accident being caused by that airport, I doubt seriously that it would be receptive to the people in that township or that area to reopen.

Shortly after that airport was closed there were several people who tried to get together and reopen an airport just to the south of it, probably three miles or so. It was going to start out just as a relatively large, turf runway, and, then, once it was acquired and brought into the public use category, then they were going to rely on State and Federal funds.

As a matter of fact, that field alone had been redesignated as a reliever airport by the Federal Aviation Administration, so they could get Federal funds. They were receptive to developing it from the point of it being a turf runway and paving a taxiway/ramp complex. It never came about because of opposition within the community.

MR. McNAMARA: But is that by way of saying that there is currently a facility down across the river from Philly International that has two runways and is closed?

MR. MAUPIN: That is correct.

MR. McNAMARA: And it has not been developed for any other purpose?

MR. MAUPIN: Not to my knowledge it hasn't been.

MR. McNAMARA: Because of its proximity to a chemical plant, it closed?

MR. MAUPIN: That was the rationale behind closing it, yes.

MR. McNAMARA: Gil, in your records-- I know you didn't have a chance to compile it before you came here today, but in your records does every airport that closes file required paperwork with you before they close?

MR. MAUPIN: I'll have to give you several answers on that.

Prior to my arrival, the forms were not required by the State. They were required by the FAA. They were not sent to the State, nor was there a mechanism in place to see that a copy of that was given to the State. The people who were here before me just did not bother with that.

I'll take credit that every facility, and this includes the heliports and everything else that have been licensed by the State since I became Bureau Chief, I refuse to continue the process until I get a copy of the form -- which is called a 7480-1 -- that is filed with the FAA. They, in turn, will not study the airspace for that facility, which would be a part of that 7480, until they are assured that the application is before me in the State. We wash hands with each other on that.

Prior to that, a lot of airspace studies were not accomplished. They began in the late 1970s. Facilities that had been in existence since the 1920s and 1930s through the war, were not, as the FAA called it, airspace studied, and they were grandfathered. It was just a piece of paper put in a document to go into a folder somewhere that said they were exempt or they're grandfathered.

Once I started into it, yes, every one of them has one or there is a letter on file with me of some type of documentation that I could dig up. Since the early 1980s or late 1970s, that I have some documentation of those closures, they do not indicate, for the most part, why they closed. That is the only problem. I think that was one of your questions to the earlier--

Some of the letters I have do indicate reasons. The list that I'll be giving you doesn't indicate the reasons right now. That is being prepared, as I speak, for each one of the airports as I know it. If I have any documentation at all, I'll have that to go along with this list to verify it. But, for the most part, it is going to be going through the memory banks and what documentation I have and we'll put it all together.

Another gentleman in my office who has been around a bit longer than I have is John Worth. He has been in aviation since he was a toddler. His father owned an airport in Florence. He soloed when he was 13 or 14 years old. So he took his father's place with the Division of Aeronautics when his father died a number of years ago. So he has been with us for about 28 years. So between the two of us, we probably can come up with most of it.

MR. McNAMARA: Great. Then, before we're done, we'll have a written record from you that will specify the airport, the date they closed, and to the best of our State's recollection -- meaning primarily those forms, your recollection, and Mr. Worth's recollection -- the reason that they closed.

MR. MAUPIN: Yes. I will do my best to give you the best information I can come up with.

MR. McNAMARA: That is excellent. Is there a way for you to solicit the FAA to deliver the forms, the 7480s, from, say, 1950 on, that you didn't receive?

MR. MAUPIN: I will give it a try, but I doubt it very seriously, because they archive all of their records after about five years. They are extremely difficult to retrieve. I have tried to get the airport master records for 10 years, and that has been very difficult. I can give it try, though, certainly.

MR. McNAMARA: We appreciate it, Gil. We appreciate you taking the time to come here today, especially on short notice.

MR. MAUPIN: It's my pleasure, believe me.

MR. McNAMARA: Wait a minute before you go.

Let me ask: Are there any questions for Mr. Maupin before he goes?

Dr. Telling.

DR. TELLING: If I could just ask, and maybe you said it in your opening comments, how many airports have closed since, let's say, 1960 in New Jersey, to the best of your knowledge?

MR. MAUPIN: I have a list of 52 that have closed since 1952.

DR. TELLING: Those were all land based, or some of those were sea--

MR. MAUPIN: Well, I have a couple of seaplane bases in here, too.

DR. TELLING: A few of them were seaplane bases.

MR. MAUPIN: I think there are two of them that are in there. Those were relatively recent closures. I have them broken down by the year.

If you have anybody in particular that you wanted to mention, I'll tell you what year it closed.

DR. TELLING: No, I'll look at this list after it is done, but I very much appreciate that.

By way of a comment to assist, if it hasn't already been tried, we could probably ask one of the Senators or Representatives to make a request to the FAA. It's more likely to get, if the records are retrievable, a more expedited response on the question of what has happened to New Jersey's airports. They tend to respond to congressional requests faster than they do others.

Thank you very much for your efforts.

MR. MAUPIN: I have an excellent boss. I think he can handle that as it goes up the line.

DR. TELLING: Great.

MR. McNAMARA: Is that Ms. Selman?

MR. MAUPIN: Pardon?

MR. McNAMARA: You're talking about your boss.

MR. MAUPIN: My current boss.

MR. McNAMARA: Oh, you have an excellent boss. I thought you said you had an excellent boss.

MR. MAUPIN: That's why I said I think he can handle the--

MR. McNAMARA: Well, would you like to repeat that for the record? (laughter)

Mr. Elliott, do you have any questions? (negative response)

Ms. Nagle.

MS. NAGLE: Can you think of any legislation that might be helpful for airports so there is less of a closure. I mean, obviously, certain families or entities will want to close for numerous reasons, but can you think of any legislation that this Commission could propose to the Legislature to help general aviation airports?

MR. MAUPIN: With private ownership, I doubt that any legislation short of the tax exemption of these facilities would do anything to keep them open. As a person gets into a situation where the property is more valuable to them for other uses, for their own financial well-being, I don't think they would hesitate to close the airport.

If there were some relief-- Certainly, we are doing our best right now with the moneys available for the improvement of airports, not just expansion, but improvement-- The previous testimony was the expansion of Greenwood Lake, which was one of our good expansions that we did.

Improvements that were done on other airports-- I'll use Trenton-Robbinsville as an example of what we did there in a short period of time, the overlaying of that runway. But that was not an expansion, per se. It was just what was there was redone, improved for safety consideration. That has helped people, and I think it will help airports continue their business. I'll put it that way. These are tremendous dollar outlays that are an immediate drain on their resources and as long as we can provide that funding, as we have, certainly, that is going to be of great assistance to the airports.

For some of the smaller ones that are barely getting by and the land keeps escalating in its value and the taxes keep going up accordingly, I

don't know of anything short of tax exemption that would give them any relief, I really don't.

MR. McNAMARA: How about sale of development rights? Suppose the State came in and said, "Mr. Airport owner, we recognize that you have a parcel of land here that someone else is willing to pay you \$10 million for. We'll pay you \$10 million and you make a commitment that this land will always be an airport. You don't have to make a commitment to continue operating it, but if you don't, then to whomever you sell it, it will be subject to that commitment"?

MR. MAUPIN: That would be one tool that could be utilized. I think the other, as was previously mentioned, the Airport Zoning Safety Act has helped as well to prevent some development from encroaching.

If you can transfer those development rights to other portions of a community-- I think the Green Acres programs, certainly, those would assist in the downfall of airports which comes about by encroachment, and that's the only way I can put it, be it far out to the point where the traffic patterns are, alone, the real problem or close in where the takeoffs and landings are the main problem.

Development rights? That has worked in one of our airports. We are in the process of doing some tremendous amounts of expansion on it if everything falls in place. Now, lands were acquired through Federal funding. There was a huge farm that was purchased to parcel off a portion of it to realign a runway, or relocate the runway, and extend the runway. That is in South Jersey. That was done with the development rights there. The township

was very pleased with that. That preserved an open area for them. If we can get townships on board with that philosophy, yes, I think it would work.

MR. McNAMARA: I remember one of the Senators making a comment five or six years ago that everybody in the State Legislature is concerned about airport closures, and I can see with your testimony why they have lost 52 airports since 1952.

MR. MAUPIN: Fifty-two.

MR. McNAMARA: Fifty since 1952.

MR. MAUPIN: Five, two.

MR. McNAMARA: Fifty-three?

MR. MAUPIN: Fifty-two airports since 1952. So that is matter of 44 years, 54 years, excuse me.

MR. McNAMARA: That's what I have and that's what I thought I said.

MR. MAUPIN: Okay. (laughter)

I would hasten to explain--

MR. McNAMARA: But why is it that nothing has happened since 1952? Why is it that we get to 1994 before this becomes a concern, or is that not correct? Was it a concern prior to this?

MR. MAUPIN: Some of them were concerns. I certainly know there were concerns of some of my former Directors, but the wherewithal to do anything about was not there. I can remember Frank Gerard -- if anybody here remembers him -- who was the Director for many years, and I recall seeing on the books of legislation proposed here for tax relief. Everyone had an

opportunity at that particular time to have done something about it. The money was never appropriated. It died.

It was 1983 before anything came along to provide some assistance to the airports, that being the Safety Act and along with it the Zoning Act. They came in concurrently, with the small amount of money that was available at that particular time, it was about \$.75 million a year that came in on the 2 cents a gallon fuel tax. Woefully inadequate to really do much with it. One parcel of land would have eaten that up. We were limited by the legislation itself as to how much could go out to any individual airport or owner.

Our current situation certainly lends itself to a much more favorable use of moneys and adequate amounts of money to avoid some of these closures. If the municipalities, as previously mentioned by the other person who was here, want to proceed with the acquisition of that airport, then, fine. Kupper, Manville, that one is being looked at, as you are probably are well aware. The one at Lakewood was just acquired publicly.

If it is a publicly owned airport it's chances of survival are great, especially if Federal money and a large amount of the State money go in there, we're obligated to a 20-year usage of it as an airport regardless who buys it. Some of the privately owned airports have accepted money. They also are obligated to remain open or if someone else buys it, it still has to remain as an airport.

The sad part of it is, is that generally the amount of money we can put into it-- If a developer comes along and they have a large parcel of property, there is a profit margin on there that is pin money for them to pay



notes in here -- that that legislation was passed. So 1973 or 1974 to the best of my recollection.

MR. McNAMARA: Okay.

Ms. Nagle, did you have another question?

MS. NAGLE: No.

MR. McNAMARA: Mr. Maupin, once again, thank you very much. Thank you for coming on short notice. Thank you for all of the information. We'll look forward to receiving the completed compilation of this. I guess it will be within the next week to 10 days.

MR. MAUPIN: About a week to 10 days, yes.

MR. McNAMARA: Okay. I would suggest sending that directly to me.

MR. MAUPIN: Okay.

MR. McNAMARA: We'll see that it is incorporated in the record through our office.

Thank you very much.

MR. MAUPIN: Thank you.

MR. McNAMARA: I think, prior to the next witness, I have to go. We are now going to acquire a building in Trenton for the New Jersey General Aviation Study Commission, which will be across the street. I am supposed to go meet with somebody from the Department of Transportation who is going to give us the keys and the security codes. That is where we will house our staff until we complete our work.

Dr. Telling, if you would be kind enough to take over?

DR. TELLING: Mr. Chairman, I appreciate it. I would be delighted to take over the Chairmanship of the remainder of the meeting.

Is Mayor Stevens here with us today?

**MAYOR STEPHANIE B. STEVENS:** (from audience) I am she.

DR. TELLING: Mayor Stevens, it's a pleasure to have you with us today. I would appreciate it very much if you could join us. I'm sorry, as you heard earlier, we have been running somewhat behind in testimony. I do apologize for taking your time.

MAYOR STEVENS: It happens.

DR. TELLING: I know you, as many others, have had to sit a good while. I know you have many other things that are probably pressing on your time.

MS. NAGLE: I'm not allowed to stay.

MAYOR STEVENS: Oh, okay. It was good seeing you, Suzie.

DR. TELLING: Now, at the rate I'm losing Commissioners today.  
(laughter)

MAYOR STEVENS: Anybody want to come down here?  
(laughter)

MR. ENGLE: I'm still here, Fred. (laughter)

DR. TELLING: Well, I arrived late today. My name is Fred Telling.

Oh, you're getting me wired up for sound, too, now. (referring to microphone)

HEARING REPORTER: Thank you, sir.



familiar with the central area -- some brief background on the airport facility which is within your town's borders and your own observations on the history of the relationships or issues which surround the airport as they present themselves?

MAYOR STEVENS: Okay. I have lived in Readington Township for some 32 years. When we first moved there, of course, most of the roads, including the road to the airport, were dirt. The airport was there because it had been there for some 25-or-so years previous to that.

It has changed a lot, in that it, of course, was in the middle of farmlands and it no longer is. Of course, there were fewer planes back in those days than there are now. People seem to be more affluent and able to acquire planes and keep them at the airport.

The Solberg family -- Thor's father -- was running the airport at that time, if I recall correctly, and died around maybe 30-or-so years ago. Thor was a student, a graduate student at Princeton, at that time. Of course, as a Norwegian, he was the man in the family and that was that. So he came home to run the airport in league with his sisters, who were much younger at that time.

They owned, at that time, if I recall correctly, around 900 acres. A great lot of it was in farmland assessment. I had some intimate knowledge of that, because my husband was the Assessor in Readington Township. I can't tell you how many acres were in farmland. I don't recall. But I do remember Thor burning the midnight oil at our door, literally, to file his farmland assessment. For whom he worked at that time, I don't know. I thought he did,

pretty much, the airport. Then, he got married. He has his own family now, as does Suzie. Lorraine has never married. The airport is there.

Would you ask some specific questions? I think that would be a better situation maybe.

DR. TELLING: I appreciate that.

Do you know, is the airport still occupying 900 acres or has some of it been sold off?

MAYOR STEVENS: No, I think they are down some-- Some has been sold off. They owned a great lot of land, if I recall correctly, up on Route 22, and they have sold off some of that. So I think they are in 600-plus or minus acres at this point.

DR. TELLING: There was a questionnaire sent to a number of the municipalities. Do you know if yours received one and you had an opportunity to fill it in? You may have heard some of the other people testify that had issues like taxes, the amount of taxes paid.

MAYOR STEVENS: I don't recall filling that in myself. No, I didn't. I don't know how much taxes they pay. I really can't say I do, I don't.

MR. ENGLE: I don't recall getting one from Readington.

DR. TELLING: You don't. Okay. But that would have gone to Mayor Steven's office?

MR. ENGLE: Yes, it should have.

DR. TELLING: If afterwards, if you wouldn't mind, we may try and send you another questionnaire.

MAYOR STEVENS: Do and we'll fill it out. Sure.

DR. TELLING: Whatever you can do to help aide the record, I appreciate it.

MAYOR STEVENS: It may have been in the transition between Mayors. We serve as Mayor for only one year. We have a township-form of government. Every year you get a different Mayor, and so things sometimes fall between the cracks.

DR. TELLING: Well, depending on the challenges, congratulations then, I gather, this being your year.

MAYOR STEVENS: Or condolences, one or the other. (laughter)

DR. TELLING: Well, as may be the case. (laughter)

What issues existed, to the best of your knowledge, between the citizenry represented in the town by you and the airport in terms of community relations or issues that are of concern to them? Is it essentially friendly? Is it difficult?

MAYOR STEVENS: No, it's not. At this point, it's not. I think it is really a very threatening situation. People are most unhappy. Land has been developed around the airport, needless to say, because it is farmlands and everybody doesn't keep farmland as a farmer's social security and everything else. So those lands have been sold off, some right across the street from the airport, some farther back, but there really aren't too many in what we would call the safety zone.

Those people who have come in-- We are, by the way, in three-acre zoning. The zoning 35 years ago was an acre and three-quarters. We find that people are rising up in indignation. They don't like the noise. They constantly complain about the noise of aircraft. I personally live maybe,



the middle. I bet there were 500 to 600 people, because that little auditorium holds between 200 and 300, and they were crammed in like sardines.

I had to go out in the hall and say, "I am the Mayor of Readington Township. You cannot hear. You cannot get in. After talking with Thor, we will continue this hearing at another time as soon as we can"-- it was in the wintertime-- "If you want to stay and squash yourselves into the hall, go ahead." But they were out the door, down the steps, and it was a miserable snowy night.

The second hearing was scheduled for March.

DR. TELLING: The first hearing, if I can, just for the record, was when, if you recall?

MAYOR STEVENS: I knew you would ask me that exact date. It would have had to be at the end of January or the beginning of February, because we set up another meeting for March, and it snowed. Every time we set up a meeting it snowed, all winter long.

DR. TELLING: Well, this year that was a reasonable chance no matter which day we picked.

MAYOR STEVENS: Finally, when the meeting -- the next meeting came off-- Once again, I don't have it. I don't have it in my book here, the date. If you want the exact date--

It was held at the Readington Township school. We had jumped all over the place trying to find a place that was big enough. I would say there were some 300 to 400 people, and that was a later meeting. You know, where people were told-- I know I asked at Township meetings a couple of times, for

people to be polite, "Say what you have to say, but let's put down the mob psychology business. Let's get on with what we have to say about this."

Thor hired a gentleman to be a moderator of the meeting, and it was probably just as well, because, for some reason-- I will say this to you, I like Thor. I like Suzie. I don't know Lorraine as well, but I have known Thor longer than either one. Thor Solberg got up there and, boy, they wanted to shoot him.

DR. TELLING: Obviously, it sounds like a wonderful event to have missed. (laughter)

MAYOR STEVENS: It's just as well you did.

DR. TELLING: Well, could you characterize or summarize, if at all possible, what the principle, substantive objections are? As you said, you tried to extend, if possible, to ask people to differentiate between that which is emotional and that which is substantive.

MAYOR STEVENS: Well, we have a -- and I must refer to it in nebulous terms, because I don't know the name of it, but it came to me from a legislator -- report about this thick (indicating) from the FAA. It talks about the different airports. I don't know if it is all of the airports in New Jersey, because we just looked at Solberg.

DR. TELLING: The Airport Master Plan?

MAYOR STEVENS: It probably is, or is at least a reference to it. It is about an inch and a half or a little over an inch thick, white cover.

MR. ENGLE: When did that come?

MAYOR STEVENS: I got it at the last meeting from, as I said, one of our legislators.



MR. ELLIOTT: It is 3000 paved, 750 unpaved.

MAYOR STEVENS: Okay. Yes. Right, thank you.

DR. TELLING: Okay. It is 3000 paved, an additional 740 unpaved.

MAYOR STEVENS: That is unpaved, yes.

DR. TELLING: The request was to expand this to--

MR. ENGLE: To 5600.

MAYOR STEVENS: To 5670, yes.

MR. ELLIOTT: They would move the runway.

DR. TELLING: Okay.

MAYOR STEVENS: And according to this economic study, will allow 747s to land. That is what the study says.

MR. ENGLE: That is not the Economic Study, then.

DR. TELLING: May I--

MAYOR STEVENS: This one says-- You know, I wish I had it with me. I called, as a matter of fact, the Committeeman I gave it to. I think he is in England, because I got no response at all.

DR. TELLING: If I could, and you are willing, Mayor Stevens, afterwards if you could locate the document, could we have a copy sent?

MAYOR STEVENS: As a matter of fact, I promised Suzie I would send her a copy of it.

DR. TELLING: Oh, okay.

MAYOR STEVENS: The cover -- just as you do research books -- copied and that page. That page, very specifically, says that 747s can land there, and by the year 2010, they anticipate transportation-- I'm not going to



be delighted to send you information. I happen to be a pilot. I could assure you that it simply is implausible, other than in the event of an emergency. Were it to ever land on that runway, it would never take off again, except carted out in small trucks.

MAYOR STEVENS: Maybe that is all it is supposed to do is land.  
(laughter)

DR. TELLING: No, but I'm just--

MAYOR STEVENS: I don't know. I can't say that, because, as I said, I'm not a pilot. I don't know.

DR. TELLING: No, no. You have answered my question, which is that your perception is that you believe it to be true. If you were interested in evidence to the contrary, we would be delighted to provide it.

MAYOR STEVENS: I think that would be very edifying for people in my Township.

DR. TELLING: Well, I can start with you. You, fortunately, have the advantage of being in a leadership position. One of the difficulties that surrounds this whole issue is perception is formed by all kinds of information.

MAYOR STEVENS: Absolutely.

DR. TELLING: As you may have heard earlier, some of it is accurate and some of it is not.

I'm sorry I didn't mean to interrupt you. I just wanted to understand what the facts were and how much of an expansion--

MAYOR STEVENS: Yes, that's it. When we get some of-- I'm sure the people who-- There are very few pilots, but there are pilots who are part of the pro and the con feeling for this whole situation.



I feel like I am going in and out on this microphone. Am I?  
(negative response)

People have complained probably on about the 360 sides of the airport.

DR. TELLING: So it surrounds the whole area?

MAYOR STEVENS: Yes. They have complained about being buzzed by the small planes. They have complained about air jockeys, which-- I'm sure that everybody is doing loop-d-loops and carrying on like crazy up there. They have complained about that jet I mentioned. They have complained about just noise in general.

Of course, there was a big complaint about-- It was a FedEx, I think, airplane that had to land in an emergency situation there at Solberg. Once the explanation came through they accepted it, but he had to jettison some fuel. The Mayor who preceded me had the worst time in the world trying to get an answer from the FAA about this. That is just plain rudeness. That could have been solved in one fell swoop. Instead, it took months. Gil Maupin came, I mean everybody came to talk about this thing.

What had happened was, the pilot had an emergency situation. They could have said that. They denied it at first. "Oh, no, you didn't have a plane there." I had people saying to me, "Are you kidding? I stood there. The thing was over my head, and the stuff landed all over my cars, and my gardens, and this and that."

So each little incident -- and that could have been a more serious incident than what it was, fortunately. But each little incident magnifies, and

people are simply-- They are just getting more and more angry, and they're frantic thinking that there could be 5670-foot runway -- absolutely frantic.

This was a cute little airport, and wasn't it nice to be near it and look at those cute little planes taking off? But nowadays-- It used to be you could read the numerals on a plane, and today, you can't read them very well. They shrunk them.

MR. ENGLE: They shrunk them. (laughter)

MAYOR STEVENS: They Shrinky-Dinked them, and that is too bad, because if somebody is--

MR. ENGLE: Well, they're back to normal again.

MAYOR STEVENS: You can see them again?

MR. ENGLE: Yes.

MAYOR STEVENS: I'll have to mention that. But if the people can't see them they can't identify-- Subsequently, they feel like they have been had, frankly. That the airline people, the air people in general, are up there just having a good old time and they're going to fall into their pools at any moment. They just really are unhappy.

There are people who are saying, "Oh, I have a slick on the water in my pool." Well, I don't know how they can have that, but it is all-- The perception is that the airport is doing it. There are several people who have lived there for maybe 10 years or so, and they say, "Oh, it was such a nice little airport years ago. It was so much fun to sit on my deck and watch those little planes take off. Weren't they fun?"

But now they're not. There are more there, and you've got that jet. That is all we hear about, that jet, and there is noise. There are noisy airplanes, and they don't want their Sundays to be so disturbed.

DR. TELLING: All right. A last question for myself, if I may at the moment. Are there any, given your experience, specific thoughts or recommendations which you would like to bring to the Commission's attention and consideration in going forward in terms of either improving community/airport relations, or development, or the process of having these issues of expansion or not go forward?

MAYOR STEVENS: Well, airport relations, of course, like any relations with anybody who has a complaint, can always be improved. There is no question. Many times there have been calls down there, "Oh, somebody just called and a something or another has gone up, and can't you do something about it?" Well, from what Gil Maupin said, anybody can land in any airport he wants in New Jersey and takeoff from one, too.

But it seems, very honestly, that Suzie is very nice and sweet. People tend to feel that Thor Solberg is arrogant. They tend to feel that if they call down there that they don't get satisfaction, at least from Thor. I like Thor. He doesn't bother me, because the airport doesn't bother me that much. But I think that you have to have almost a PR person in place to deal with that whole scene.

People feel as though his veracity is to be doubted, because I have heard them at these hearings saying, "Well, you said this the last time, or you just said that, and now you're telling us something else." Probably the better

thing to do would be if he would just stay away, but he won't do that. It's his airport, his responsibility. I'm sure he feels that way.

People are, I think-- That whole PR business would make life a little bit better. Also--

Let me ask you a question. If an airplane-- If a person is a pilot and is really being obnoxious -- and there are some of them down there who are -- isn't it within his power, Thor's power, to say to him, "Don't ever land at this airport again"?

MR. ELLIOTT: Yes, it is.

MAYOR STEVENS: Well, he doesn't do it. Therein lies the problem, you see.

DR. TELLING: If I could say-- I personally have no-- I don't have any knowledge about what the rights and responsibilities are if an aircraft is being operated recklessly or outside of FAA regulations. Obviously, there are any number of remedies, but beyond that, I don't know.

MR. ENGLE: I think as a private airport owner, and he has not accepted Federal funds at that airport, he should have every right in the world to say, "No, you can't come to my airport."

MAYOR STEVENS: Or at least a three strikes and you're out kind of thing.

MR. ENGLE: The one thing he could do is, if it is obvious that an airplane is being operated in an obnoxious manner, he, as the airport owner, can go with a member of the governing body to the FAA -- to the local FSDO Office.

DR. TELLING: And help in getting it corrected, as opposed to--

MR. ENGLE: Help in getting it corrected through the FAA.

MR. ELLIOTT: Have you talked to Thor about any specifics?

MAYOR STEVENS: Yes, these--

MR. ELLIOTT: You have.

MAYOR STEVENS: --things have all been brought to Thor's--

MR. ELLIOTT: Have you brought it to his attention?

MAYOR STEVENS: I, personally, have not, no. But these things have all been brought to his attention at public meetings.

MR. ELLIOTT: Yes, I know at public meetings, but--

MAYOR STEVENS: And the hot line, you know, that whole thing is--

MR. ELLIOTT: At public meetings it is a waste because, as you well know -- and I was at that first meeting -- no one is rational. No one was rational there.

MAYOR STEVENS: Oh, that was terrible, that meeting.

MR. ELLIOTT: It was terrible. To bring something up that is, in general--

MAYOR STEVENS: Oh, no. I'm sorry, let me say this: This year, that has not been brought up to him. Last year, when this process was starting, they were very clearly brought up to him. We had Saturday meetings. We had all kinds of meetings, and he was told this very clearly.

MR. ELLIOTT: But the time to do this is--

MR. ENGLE: It has to be timely.

MAYOR STEVENS: Yes, that is correct.

MR. ELLIOTT: When an incident occurs, there should be a hot line in town.

MAYOR STEVENS: We have it.

MR. ELLIOTT: Okay. They should call and say, "It is now 7:00, and 2 minutes ago an aircraft came over my house. It was a high wing or a low wing" and identify it--

MR. ENGLE: It was red and blue.

MR. ELLIOTT: --identify what color it was at the time--

MAYOR STEVENS: Yes.

MR. ELLIOTT: Then you can nail it down, perhaps.

MAYOR STEVENS: See, this is exactly what Gil Maupin had told us, that that was what should be done. So those practices were put into effect. I feel the people down there feel as though they got no satisfaction, because they--

These were, as I said, Saturday meetings in Readington Township dealing only with Readington Township citizens and the people who live around the airport. The only ones who came were the ones who live around the airport. They have specific examples, and they didn't feel--

Then, they would say to him, "Thor, we called you. We called you this day" -- they had lists of the days and everything else -- "and you didn't respond. You didn't do anything. How about that guy who rides that red plane? He is still flip-flopping up in the air. Can't you really get him down? Get him out of your airport."

MR. ELLIOTT: If he wanted to, he could throw him out of there.

MAYOR STEVENS: That is what I thought, too, because it's a private enterprise.

MR. ELLIOTT: Now, if those people don't get any satisfaction from Thor, my suggestion is that they call up Mr. Penn, who is the Director--

MAYOR STEVENS: Jack Penn.

MR. ELLIOTT: Jack Penn, Division of Aeronautics, and say, "Here is a specific incident that occurred. We spoke to Thor. We got no satisfaction. Where do we go from here?"

Jack Penn will get you--

MAYOR STEVENS: He is right next door in Somerset County, sure.

MR. ELLIOTT: He will get you an answer. He will, perhaps, go to Thor and say, "What about it? These people say they made a complaint and they got no satisfaction."

To bring these things up at these meetings that are emotional--

MAYOR STEVENS: Oh, no. I don't know what they did.

MR. ELLIOTT: --is the wrong approach.

MAYOR STEVENS: I couldn't even get into that meeting. I just went up and talked.

MR. ELLIOTT: You don't know how lucky you were.

MAYOR STEVENS: I know it was awful, because when I got there and the crowd was really getting unruly outside--

MR. ELLIOTT: Totally out of hand.

MAYOR STEVENS: When I went inside and talked to Thor -- I don't know if you remember me standing there in my snow coat and boots --

and had him promise that it would continue. Then, we got rid of the people out in the hall, and I went home. I felt that wasn't the place to be. It was, I know, from everything that everybody said--

MR. ELLIOTT: One of the things that, I think, that meeting made clear-- People were marching around, passing out flyers that said, "Stop the 1011s. Stop the 747s." Now, if you want to address issues involving the airport, you need to assemble facts. At that meeting it was all emotion.

Now, these flyers that say, "Stop the 1011s and 747s"-- Let us assume that a 1011 or a 747 could land on 5600 feet, which it can't -- and it's more than just the length. The runway would have to bear that weight.

MAYOR STEVENS: Oh, it would have to, yes.

MR. ELLIOTT: That would cost more money than the government would ever -- even with government waste -- consider putting into a small country airport. I would be disturbed if I lived in Readington and thought that one of those aircraft was going to land there.

But let us assume that it could land on 5600 feet, with a runway built to support a light jet. Why would it land there? Those airplanes take 300 or 400 people. Are there 300 or 400 people in Readington Township who would want to travel on it, and if not, why would it land there?

MAYOR STEVENS: No, if you will recall, I said in the report it says next to it transport, TR.

DR. TELLING: If I could admonish or request the Commissioners, if they would wish to be witnesses that the opportunity would be amply provided, and otherwise we could enter into the record questions of our witness at the moment.

MR. ELLIOTT: I'm sorry.

DR. TELLING: The difficulty is all of us have a deeply held interest and widely varying experience.

What we hope to create, obviously, as you can appreciate, Mayor Stevens, is a record that can bear up to legislative scrutiny and may well support some recommendations for how to improve the situation.

Mr. Elliott, like all of us-- I think it is fair to say, as individuals, we all, personally, would like to see accurate information surrounding all of these issues conveyed to the broadest number of people possible. So it does become difficult when we witness situations where that is not at all possible.

Jack, I'll turn it back over to you if I could ask a question.

If any of these records of call logs or information you think would be of any value to the Commission from the point of view of our understanding the range, nature, diversity, and scope of the problem as has been assembled by the town through the hot line, the Commission would be delighted to have that entered into evidence.

MAYOR STEVENS: I can have those sent to you. You have to give me your address.

DR. TELLING: It would be to Commissioner -- Chairman-- I think we should send it to Jack McNamara.

Are we sending things to his home at this point, or do you happen to know--

HEARING REPORTER: I think he is having it sent to his office. I think I recognize that address as his office in Far Hills, but I couldn't tell you what the P.O. Box number is.

MR. ENGLE: Either that or you could send it to me.

DR. TELLING: Okay. I have it right here then. P.O. Box 809, Liberty Corner Road, Far Hills, New Jersey--

MR. ELLIOTT: He doesn't live in Far Hills any longer. That is an old address. He lives in Lambertville.

MAYOR STEVENS: Well, if it is his post office box, maybe he just picks it up in Far Hills.

MR. ELLIOTT: Jack Penn?

MR. ENGLE: Jack McNamara.

MAYOR STEVENS: No, McNamara.

MR. ELLIOTT: Oh, McNamara. Yes, it's in Far Hills.

MR. ENGLE: McNamara is Far Hills.

DR. TELLING: Okay. We're still with Far Hills then, New Jersey, 07931.

MAYOR STEVENS: Okay. I'll send those logs to you.

DR. TELLING: I would appreciate any other information that might be relevant.

Commissioner Elliott, I didn't wish to cut you off. If you have any other questions--

MR. ELLIOTT: No, no. I'm finished.

DR. TELLING: I just didn't want to end up with our, essentially, having a give and take that I think we should have moved off the record.

Mr. Engle, any questions?

MR. ENGLE: You mentioned some things going on in talking with the owners of the airport, etc., etc., etc. Do you feel, Mayor Stevens, can

anything be done to build up the feelings of your constituents toward what is going on at the airport? Get some support in back of the Solberg family?

MAYOR STEVENS: For this FAA Master Plan Study?

MR. ENGLE: Well, maybe not to the extent the Master Plan is going, but just in the existence of the airport as an airport that the owners are looking to work with the community on?

MAYOR STEVENS: I think that if the community felt that the Solbergs were sincerely interested in working with the community, that might be so. At this point, I think the community, in general, feels as though they have been, well, not treated well. I think they feel that there has been no response to their concerns.

Of course, you have, once again, the problem of -- an economic problem, where you have an airport that was just a little flyboy place, and now, it's getting busy. The land around it is developing, and it is developing-- As I said, these are not inexpensive homes in Readington Township. It has become, unfortunately, the place to be. You also have a school not too far away from there.

People are just very concerned for the values of their property, very concerned. They are determined and sure that the airport is going to be detrimental to the values of their property. I talked to the Assessor about that some time ago, and she seemed to feel as though there hadn't been an impact.

There have been houses that have gone down in price; however, they were purchased during the 1980s when everybody had kazillions of dollars and were buying just the goofiest things for all that money. Now, we've



MAYOR STEVENS: I think the people who live around the airport feel as though it is a nuisance. It is hard to get in and out. That thing has gotten bigger and bigger and bigger. There is just an enormous festival now.

Also, on the Township level, when they first started out, we didn't have to bother. They just had it, that's all. But at this point, now, we have a big conference before it with the police, the emergency squads, and everybody under the sun, because, of course, it is somewhat remote, as you know. There have to be traffic patterns, plans, and so on, and so forth.

But it has grown not to be just a balloon festival, it is like Flemington Fair. They have a petting zoo and all kinds of things to entertain the kids. Many times, there are people on the committee that say, "Well, I don't understand what a petting zoo or those children's rides have to do with a balloon festival." So it is an attractive nuisance. I think that's it. It only lasts for three days so it's okay.

Economically, around the Township, it helps the first aid squads -- or squad, we only have one -- and the fire houses because they do sell food. It gives them an opportunity to gather some money, which they are volunteer services and they have to do that all year-round in order to pay for their volunteerism. Other than that, I don't think it is a real economic boon to the Township.

It is a fun thing. It is beautiful to see all of those balloons go off. Everybody loves balloons. Let's face it, *The Wizard of Oz* is deep in our hearts in this country. I think everybody thinks, "Oh, gosh. I'll float away in a balloon." They are very pretty to look at. It is a spectacle. It's a fun thing.

DR. TELLING: Are there any other questions? (no response)

On behalf of the Commission, those of us who are remaining--

MAYOR STEVENS: How many of you? (laughter)

DR. TELLING: Well, we lost three others and, as you saw, it was a long day. But I have to tell you, we very much appreciate you coming here, your taking the time to show your perceptions and your views, and enabling the Commission to try and go about conducting its business as effectively as possible.

I thank you very much and any additional material--

MAYOR STEVENS: Well, good luck with it. It sounds to me, just listening to Gil Maupin, that you have lost a lot of airports.

DR. TELLING: Well, if I am correct in my count, we have 51 airports in New Jersey remaining. We have lost 52.

MAYOR STEVENS: Lost 52.

DR. TELLING: In as many years. So the reality is, as is well testified, economics are a major aspect to it, but, quite frankly, there has been a huge shift in the public's perception of any number of things, innovation in all sorts of fields, whether it is aviation, whether it is medicine. It doesn't have the same thrill for Americans that it did at a different point in time.

MAYOR STEVENS: Well, to end on a positive note, I'll tell you a little story about a dear little friend of mine who is a farmer. He has lived on the farm since 1914. He is 88 years old now. He doesn't go away from the farm. He just doesn't leave the farm, that's all. He is a fascinating man, full of all kinds of wisdom.

I remember him saying to me, just a few weeks ago he said, “I don’t understand why those people are complaining about the airport. I remember when that was first there, and we never saw a plane. What a thrill.” For him, he has a whole different perspective. He is not that far from the airport, but he sits on 139 acres, and it isn’t bothering him. He is just thrilled. “I just don’t understand that.” Oh, he talks on and on about having gone over there and seeing an actual plane.

As you say, it is the perception. Time goes on.

DR. TELLING: The evidence that, at least, has been presented here is that it, indeed, is the perception. There are those who often complain the loudest, who are nowhere within earshot of any sound monitor that we can determine, hear anything at an airport. For many people, it is the issue of the FAA traffic patterns with jetliners up above, that it bothers them over time.

MAYOR STEVENS: We have that complaint, too.

DR. TELLING: So the reality is, many of them will then look around and say, “To what do we ascribe this particular woe or perceptual problem?” And it may not have anything to do with it. There are other factors which are very real.

We’re just trying to better understand what is driving it as we come forward to some recommendations.

So I thank you very much for your time and testimony.

MAYOR STEVENS: Okay. Good luck with what you’re doing.

DR. TELLING: Anything that you can or are willing to send on to Jack, I know that, on behalf of the Commission, we would appreciate it.

MAYOR STEVENS: Okay. We’ll do that.

Let me say this, too, and I have to say this off of the record. So you probably ought to turn that off. (referring to recorder)

DR. TELLING: Well, let me entertain a motion to adjourn.

MR. ENGLE: Motion made.

DR. TELLING: Second?

MR. ELLIOTT: Second.

DR. TELLING: There being all of us, we're adjourned. (laughter)

**(MEETING CONCLUDED)**